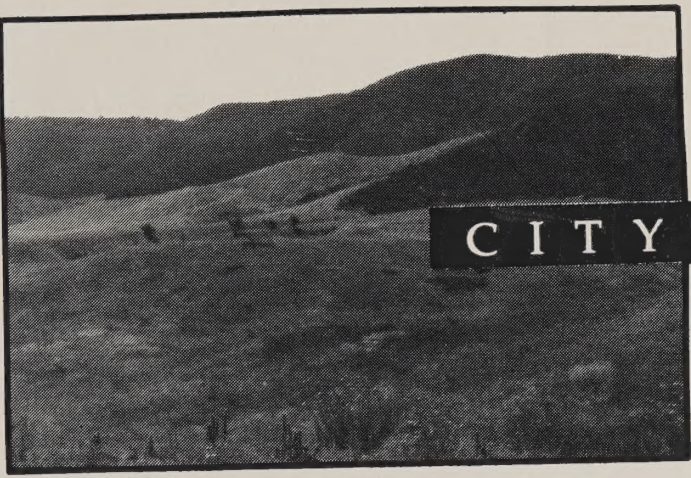


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CITY OF MURRIETA

FINAL

EIR

JUNE, 1994

CITY OF MURRIETA

FINAL

EIR

SCH# 92072047

PREPARED FOR:
CITY OF MURRIETA
26442 BECKMAN COURT
MURRIETA, CA 92562

THE LIGHTFOOT PLANNING GROUP
1315 UNION PLAZA COURT, SUITE 100
OCEANSIDE, CA 92054

PREPARED BY:
EIP ASSOCIATES
2 N. LAKE AVENUE, SUITE 580
PASADENA, CA 91101

JUNE 1994



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LETTER #1

CALIFORNIA INSTITUTE OF TECHNOLOGY

OFFICE OF THE DIRECTOR PALOMAR OBSERVATORY 105-24

January 11, 1994

Mr. Stephen G. Harding
Planning Director
City of Murrieta
26442 Beckman Court
Murrieta, California 92562

Dear Mr. Harding:

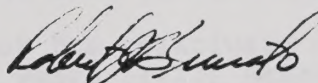
Thank you for providing us with a copy of the draft EIR for the Murrieta General Plan. We appreciate the attention devoted to the subject of light and glare, especially as it affects the Palomar Observatory.

We support the proposal to adopt the provisions of Riverside County Ordinance 655 as a means of mitigating the effects of light pollution, but we need to point out that it only pertains to private lighting. Street lighting, which is normally covered by a separate policy, is not included.

Therefore, we request that the City of Murrieta also adopt the County policy calling for the use of low-pressure sodium (LPS) street lighting. LPS lights provide good roadway lighting, are the most energy-efficient type of light available and have absolutely no adverse impact on the observatory.

If you require additional information, please contact me at 818-395-4033.

Sincerely yours,,



Robert J. Brucato
Assistant Director

RJB:pc

cc: Hall Daily

File: LP/Murrieta
Ref: LANDUSE/MUR94-01

CALTECH-1

CALTECH-2

DEPARTMENT OF CONSERVATION
DIVISION OF MINES AND GEOLOGY
BAY AREA REGIONAL OFFICE
185 Berry Street, Suite 3600
San Francisco, CA 94107
Phone (415) 904-7707
ATSS 539-7707
Fax (415) 904-7715

LETTER #2



January 10, 1994

Fred Buss
Assistant Director
Advanced Planning
City of Murrieta
26442 Beckman Court
Murrieta, CA 92562

Dear Mr. Buss:

This is to acknowledge the Murrieta General Plan Draft EIR which was sent to me for review. I am forwarding this EIR review to Roger Martin who handles EIR reviews. Future EIRs should be sent to the attention of Roger Martin, Senior Geologist, California Division of Mines and Geology, 801 K Street, Sacramento, CA 94815.

DOC#1-1

Please continue sending geologic reports required under the Alquist-Priolo Earthquake Fault Zoning Act (formerly the Alquist-Priolo Special Studies Zones Act) to me at our San Francisco office. However, note that we have moved from 1145 Market Street to 185 Berry Street, Suite 3600.

Sincerely,

Earl W. Hart

EARL W. HART
Senior Geologist

EWH:ra
cc: Roger Martin (w/ Draft EIR)

LETTER #3

State of California

THE RESOURCES AGENCY OF CALIFORNIA

MEMORANDUM

To: Mr. Douglas P. Wheeler
Secretary for Resources

Date: January 20, 1994

Mr. Steve Harding
City of Murrieta
26442 Beckman Court
Murrieta, CA 92562

2-3-94
EIR

From: Department of Conservation
Office of Governmental and Environmental Relations

Subject: Draft Environmental Impact Report (DEIR) for the Draft
Murrieta General Plan, SCH# 92072047

The Department of Conservation's Division of Mines and Geology (DMG) has reviewed the DEIR for the City of Murrieta's first General Plan. DMG has special expertise in evaluating geologic/ seismic hazards and mineral resource issues and our comments here are intended to provide constructive advice to improve the Safety Element portion of the General Plan in accordance with Government Code Section 65302(g).

We offer the following specific comments:

- Severity of Earthquake Shaking. On page 4.2-2 of the DEIR is the statement "The most likely source of strong ground motion in the region would be a major earthquake on the San Andreas fault, the main trace of which is about 50 miles northeast of the City." A great deal of attention in California is focused on the San Andreas fault and the anticipated great earthquake predicted by scientists. However, DMG cautions that for planning purposes, communities cannot overlook the greater probability of smaller magnitude earthquakes occurring on lesser known, nearby faults. These close proximity earthquakes may produce locally more violent and destructive ground motions than a great earthquake on the more distant San Andreas.

DOC#2-1

As examples, we point out the relatively recent destructive quakes near Long Beach (1933) Bakersfield (1952), San Fernando (1971), Coalinga (1983), Morgan Hill (1984), Whittier (1989), Petrolia and Ferndale (1992), Landers (1993), and Northridge (1994). These and many other potentially destructive earthquakes in California have occurred since the last great earthquake on the San Andreas (1906).

DOC#2-2

- Safety Element Policies. The policies presented in the DEIR appear to propose appropriate mitigation measures for the geologic hazards. Some of the policies refer to future actions, and might properly be titled "goals"; these include Policies S-1.1h, S-4.1B, S-2.1b, S-2.1c, and S-2.1d.

Mr. Douglas P. Wheeler
Mr. Steve Harding
January 20, 1994
Page 2

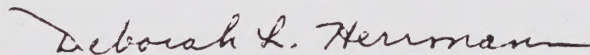
- Location of Geohazard Areas. The verbal description of liquefaction prone areas (DEIR page 4.2-7) is unclear, and those for landslide and subsidence potential would benefit if a better map were provided. Reference is made to figures in the City of Murrieta MEA. If the MEA contains maps showing location of potential geologically unstable zones, they would, if included in the Safety Element, substantially enhance its value. A useful and meaningful safety element should contain if possible, one or more geologic hazard maps at a scale suitable to locate individual lots.

DOC#2

We hope the above comments may be helpful to you in completing the City of Murrieta's General Plan. The comments are limited in scope because the DEIR is necessarily brief. We look forward to receiving a draft copy of the new Safety Element, and we would also be pleased to review the associated MEA with the draft Safety Element.

DOC#2

If you have any questions regarding these comments, please contact Roger Martin, Division of Mines and Geology Environmental Review Project Manager, at (916) 322-2562.



Deborah L. Herrmann
Environmental Program Coordinator

cc: Roger Martin, Division of Mines and Geology

State of California

LETTER #4

Business, Transportation and Housing Agency

Memorandum

To : MR. MARK GOSS
State Clearinghouse
Office of Planning & Research
1400 10th Street
Sacramento, CA 95814

Date : February 1, 1994

File No.: 08-Riv-15-10.5

SCH# 92072047

From : DEPARTMENT OF TRANSPORTATION
District 8

Subject: Draft Environmental Impact Report for the Murrieta General Plan

We have reviewed the above-referenced document and request consideration of the following comments:

- A Project Study Report (PSR) is required for the construction of new interchanges and improvements to existing interchanges. We recommend that the City begin coordination with Caltrans during the preliminary planning stages of project development. For all matters relating to interchange construction, please contact:

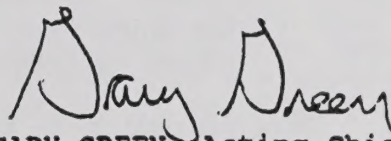
DOT-1

Manuel Jabson
Project Studies
Department of Transportation
P. O. Box 231
San Bernardino, CA 92402

- Regarding Policy C-1.2e, driveway access to State Route 79 should be limited between intersections to maximize the efficient progression of traffic. We encourage adjacent property owners to share driveway access across property lines.

DOT-2

If you have any questions, please contact La Keda Johnson at (909) 383-5929 or FAX (909) 383-5936.



GARY GREEN, Acting Chief
Transportation Planning
Riverside Coordination
Branch

LKJ:cl



City of Temecula

43174 Business Park Drive • Temecula, California 92590

J. Sal Muñoz
Mayor

Ron Roberts
Mayor Pro Tem

Ronald J. Parks
Councilmember

Jeff Stone
Councilmember

Patricia H. Birdsall
Councilmember

David F. Dixon
City Manager

(909) 694-1989
FAX (909) 694-1999

January 31, 1994

Steve Harding, Planning Director
City of Murrieta
26442 Beckman Court
Murrieta, CA 92562

Dear Steve:

Thank you for the opportunity to review and comment on the Draft Environmental Impact Report (EIR) for Murrieta's General Plan. Like the City of Murrieta, the City of Temecula is also concerned about maintaining the high quality of life we enjoy in this Valley. We have reviewed the Draft and have the following comments:

1. Hydrology - The continued urbanization of the tributary areas of Murrieta Creek will result in increased flood flows to the City of Temecula. The EIR does not address the impacts of these increased flows and does not adequately address, or mitigate, these significant adverse impacts. TP-1
2. Aesthetics and Open Spaces - A significant part of the high quality of life in the Temecula Valley is the rural image. This rural image results from being surrounded by undeveloped and unscarred hills. The EIR does not address, or mitigate, the impact of allowing developing on the surrounding hills. The EIR should address and mitigate this significant issue. TP-2
3. Circulation - According to the traffic study, traffic volumes on many of the major roads which connect to the City of Temecula will be significantly increased. For example, the traffic volumes on Date Street at Interstate 15 and Margarita Road will both increase over 100 percent. The EIR should address, and attempt to mitigate, these areawide circulation impacts. TP-3

Thank you again for the opportunity to review the Draft EIR. If you have any questions concerning our comments, please contact John Meyer, at 694-6400.

Sincerely,

Gary Thornhill
Director of Planning

6. The proposed realignment of Baxter Road is not consistent with the alignment the County accepted with the Southwest District Traffic Model (SDTM).
7. The proposed addition of Golden City Drive is not consistent with the findings and recommendations with the SDTM. Please provide additional information for this facility.
8. There is no mention or recognition of the Transportation Corridor Study for future fixed guideway service that the Riverside County Transportation Department has initiated. This effort should be noted.
9. Figure IV-8 should indicate what the difference is between the different class bike lanes. (See Chapter 1000 of the Caltrans Highway Design Manual, revised July 1993.)
10. In order for the City to use its traffic model to show CMP compliance, it must be found consistent with the regional traffic model in RIVSAN. It should be noted that the City plans to undertake this consistency finding.
11. The bike lanes should tie into the bike lanes identified within the Riverside County Comprehensive General Plan.
12. The City of Murrieta should consult with this Department if potential traffic impacts are likely to occur and subsequent mitigation measures would be required. In that the document addresses issues within the City of Murrieta, potential impacts to the County circulation system would be regional in nature.

The following comments address issues and concerns within the Draft EIR:

13. The document provides information on the existing conditions for the circulation in the City and sphere, such as number of through lanes, intersection controls, average daily traffic, volume to capacity ratios, and intersection service levels. The document also identifies that there will be a significant impact to circulation as the City builds out to General Plan densities.

However, the only information provided for the post 2015 conditions is the road segments operating above LOS "C" and the classification of those road segments. The final General Plan document should include a map of the General Plan circulation system which identifies right-of-way requirements for each of the classifications.

RCTD-1

Fred Buss

Draft General Plan, DEIR City of Murrieta

February 2, 1994

Page 3

14. The document also states that street standards need to be established. Street standards should be included in either the General Plan or a separate ordinance to be referenced for uniform development of roadways at the same time the General Plan is adopted. If intersections may be required to have additional right-of-way than the road segments these standards should also be developed and included. RCTD-2
15. On Figure 4.8-1 -- Nutmeg between Jefferson and Washington is not shown and is a dirt road; Adams from Magnolia to its dead end is dirt; parts of Hayes Avenue are dirt. RCTD-3
16. What methodology was used to calculate the LOS. RCTD-4
17. Policy C-1.2c, the City should adopt a set of driveway access standards for each facility type to ensure reasonable traffic flow on city arterials. RCTD-5
18. Policy C-1.4b, current legislation allowing funds for street widening may be difficult to obtain, therefore, other methods to improve mobility should be considered. RCTD-6
19. We recommend that the City of Murrieta consider applying a broad based TDM to all development proposals rather than just targeting non-residential uses. Studies indicate that the majority of trips are made during non-peak hours. RCTD-7
20. The document states significant impacts include a degradation of the roadway segment to a LOS of "E" or "F." Is one to assume the LOS is "D"? It is not identified in the text. RCTD-8
21. Page 4.8 - 23 under Mitigation Measures 4.81, the measure indicates that if specific policies are implemented, peak hour traffic would not significantly impact the system. In the City's sphere of influence which is under the jurisdiction of the County of Riverside, mitigation would be required for any segment or intersection with a LOS worse than "D." Please indicate that this LOS requirement can be met with the City's policies. RCTD-9
22. The final General Plan document should include a map of the General Plan circulation system for the City of Murrieta which identifies right-of-way requirements for each of the road classifications. RCTD-10

As indicated above, the potential traffic impacts to the County of Riverside will be regional in nature in terms of the effect upon the circulation system and what the City is proposing to do to mitigate those impacts to County facilities. We do, however, RCTD-11

Fred Buss
Draft General Plan, DEIR City of Murrieta
February 2, 1994
Page 4

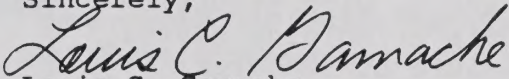
request that the City consult with our Department on any issues affecting, or potentially affecting roads identified in the Circulation section of the Public Facilities and Services Element of the Riverside County Comprehensive General Plan.

We would like to request that we receive a copy of the final General Plan and Final EIR when available for our review and comment.

RCTD-12

Should you have questions or require further information or clarification, please do not hesitate to contact Ruthanne Taylor Berger, Senior Transportation Planner at (909) 275-2076, or Sian Roman, Associate Planner at (909) 275-6874.

Sincerely,



Louis C. Gamache
Transportation Planning Engineer

LCG:RTB:SR:ck

cc: Aleta Laurence
Tek Tanaka
Ed Studor

LETTER #8

TO: City of Murrieta Planning Dept.
Attn. Fred Buss

FROM: E-M-A/RCD
24280 Washington Ave.
Murrieta, CA 92562

Robert D. Wheeler
Ph.D. (Econ.)

President E-M-A/RCD

DATE: February 2, 1994

RE: EIR for City of Murrieta General Plan

With respect to the Hydrology and Water section of the EIR:

Consider the impacts noted under Impact 4.3-1. The mitigation is insufficient. Though some of the BMPs mentioned are headed in the right direction, what is needed is a general requirement for on-site retention of the increase in runoff resulting from development. This general requirement can be made subject to case-by-case exemptions where physically necessary (e.g., no percolation, lot too small, etc. etc.), with provision for moving the water off-site to debris or holding basins, etc. The purpose is to provide a measure of recharge, flood control, erosion control, and water quality improvement, reducing the impact upon principal streams and tributaries and enhancing the aquifers. The "Drainage Plan" referred to relates principally to flood control, and does not address all, or even most, of the issues here.

EMA-1

Impact 4.3-2, relating to grading, can be mitigated substantially by the NPDES Program. Again, that Program is somewhat piecemeal, and does not really attack holistically the multi-issue area of watershed management. Drainage plans and grading plans do not suffice except to the extent that they are integrated into a broader plan of watershed management subject to a consistent set of broad performance standards.

EMA-2

As relates to the "preferred map":

In my professional judgment as an economist, this map is far too dense. I don't believe that most people really have envisioned the impact on both natural and man-made resources of this density. I seriously doubt that most of Murrieta's citizens, realizing the implications, would want to live with these impacts. Our concern as an RCD is, of course, with the impacts on natural resources - water, air, soils, habitat, and open space. However, we cannot fail to recognize the serious impacts on urban infrastructure, police, fire, schools, traffic, parks and recreation, noise, etc. I believe that most Murrietans want economic development, not stacking people in like sardines. As a British Columbia planner recently said of a small rural town outside the city of Vancouver: "If everybody who wanted to go there went there, there would be no there there." We should keep that in mind. A population of about 75,000 for Murrieta will be all the City can take before severe diseconomies of scale set in.

EMA-3

Riverside County Habitat Conservation Agency

City of Corona ♦ City of Hemet ♦ City of Lake Elsinore ♦ City of Moreno Valley ♦ City of Perris
City of Riverside ♦ City of Temecula ♦ County of Riverside

January 21, 1994

Mr. Stephen Harding
Director of Planning
City of Murrieta
26442 Beckman Court
Murrieta, CA 92562

RECEIVED
JAN 24 1994
PLANNING DEPT.

SUBJECT: **COMMENTS CONCERNING CITY OF MURRIETA GENERAL PLAN
DRAFT ENVIRONMENTAL IMPACT REPORT**

Dear Mr. Harding,

I have reviewed the General Plan Draft Environmental Impact Report ("DEIR") and offer the following comments on behalf of the Riverside County Habitat Conservation Agency ("RCHCA"):

Section 4.4 Biological Resources

1. On Table 4.4-1 please note that California Orcutt grass *Orcuttia Californica* was recently listed as an endangered species by the U.S. Fish and Wildlife Service;

RCHCA-1

2. The first paragraph of Page 4.4-15 states that the Murrieta General Plan is within the Stephens' Kangaroo Rat Habitat Conservation Plan ("HCP") area. This is incorrect; since the City of Murrieta is not a member of the RCHCA, the HCP has no effect on land within its municipal boundaries. Thus, the Stephens' kangaroo rat ("SKR") mitigation fee requirement imposed within RCHCA member agency jurisdictions does not apply to the City.

RCHCA-2

That paragraph also states that none of the known SKR occupied habitat is found within the Murrieta General Plan area. However, Figure 4.4-1 shows two locations of SKR occupied habitat within that area. Other locations of SKR occupied habitat within the General Plan area are known as well; the DEIR should be modified to reflect current information concerning SKR distribution;

3. The General Plan Goal COS-2, Objective COS 2.1, and related policies reflect a commendable level of concern for the conservation of biological resources. Implementation of Policy COS-2.1g could be facilitated through participation in the RCHCA's SKR HCP;

RCHCA-3

4. As you know, policies requiring on-site conservation of sensitive resources for individual projects have the potential to produce "postage stamp" islands of

unconnected habitat having little biological value. I would respectfully suggest that such policies, as reflected in Mitigation Measure 4.4-1(a), would produce the most effective results if guided by a City-wide or regional resource conservation plan;

RCHCA

5. Mitigation Measure 4.4-4 details an excellent approach to the assessment of biological resources for individual projects. Given the proclivity of SKR to recolonize previously graded and disturbed land, it would not be safe to assume that such areas do not need biological field inspections. In fact the RCHCA has often found evidence of SKR on recently graded properties; such land seems to provide favorable conditions for this burrowing species;
6. The discussion of Impact 4.4-5 on page 4.4-28 erroneously states that the General Plan is within the SKR HCP fee area;
7. Mitigation Measure 4.4-5(a) states that "The City of Murrieta shall require all project proponents proposing development in SKR habitat to participate in the Stephens' Kangaroo Rat Habitat Conservation Plan unless the City is a member of the Habitat Conservation Agency." Please note that under current RCHCA procedures, properties located in non-RCHCA member jurisdictions cannot participate in the HCP (i.e., receive the benefits of SKR incidental take permits). In order for individuals to participate in the HCP the jurisdiction within which their property is located must be a member of the RCHCA.

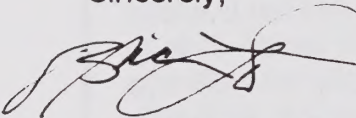
RCHCA

RCHCA

RCHCA

The RCHCA appreciates the opportunity to comment on the General Plan DEIR. If you have any questions concerning these comments please contact me at 275-1100.

Sincerely,



Brian Loew, AICP
Executive Director
Riverside County Habitat Conservation Agency

LETTER #14

Mr. Fred Buss, Assistant Director of Planning
City of Murrieta Planning Department
26442 Beckman Ct.
Murrieta, Ca. 92562

Re: Draft General Plan & Draft EIR

Dear Mr. Buss,

Thank you for the opportunity to review and comment on the above referenced documents. I have the following comments:

1. I appreciate the difficult task of trying to balance land use with traffic productions and attractions but there still appears to be rather substantial imbalances between productions and attractions. Moreover it appears that the higher trip attractors were taken out and merely substitute for lower nonresidential generators. I notice that there are now almost 900 acres of Industrial Land use which typically are low traffic generators. Is Murrieta's Zoning Ordinance for Industrial consistent with the trip making characteristics in Insistue of Traffic Engineers Trip Generation? If they are not then the imbalance will be even greater than what is shown now.

RTB-1

2. Is it reasonable to assume that a city the size of our can support and draw so much Industrial uses as the plan indicates?

RTB-2

3. Why isn't Hayes Ave shown on the Circulation Plan. Hayes is a likely parallel route to Washington and Jefferson. If added to the plan potentially one or both of the other facilities could be down-sized. Hayes Ave as some type of Parkway facility could provide a buffer to the large lot residential developments to the west. Hayes does not need to cross Murrieta Creek several times to provide much need circulation to the west.

RTB-3

4. What is the level of service proposed by the City? there is no clear indication of what is being recommended.

RTB-4

5. The bike lanes proposed for the city do not appear to have much connectivity. More thought should be given to linking activity centers together.

RTB-5

Sincerely,

Ruthanne Taylor Berger

Ruthanne Taylor Berger
23736 Ballestros Rd
Murrieta, Ca. 92562

P.S. please excuse the terrible typing - but it's easier to read than my handwriting. *RTB*

LETTER #15

January 8, 1993

Stephen Boyer
25205 Via Las Lomas
Murrieta, CA. 92562
909-677-4472

To: Murrieta Traffic Commissioners

Re: General Plan and Environmental Impact Report

Now that you have had a chance to read the EIR, I hope you will agree that the new **City of Murrieta** needs stronger language and better Levels of Service in the General Plan to ensure the safe and orderly movement of vehicular traffic in the planning area.

SB-1

As stated in the EIR, Level of Service E and F will have a significant impact on the traffic in Murrieta. Yet in the General Plan, Level E will be allowed to exist at freeway intersections. In the EIR, level D was found to be unsatisfactory. Yet in the General Plan level D will be allowed to exist all over this city at intersections. Now these might be rush hour levels, but in the real world when you are trying to make a left turn at a level E intersection and the turn cannot be completed without a rise of ten points in blood pressure, you will quickly learn to avoid that area. (How many times have all of us canceled a trip to Temecula because we didn't want to go through Jefferson and Winchester at peak hours.?)

SB-2

Please don't let this young city dig itself into a *traffic hole and bottleneck nightmare* all in the name of economic development. Potential homeowners will not consider Murrieta as a place to live if the traffic is no better than the place they come from.

SB-3

Let us set our standards higher.

Thank You

Stephen Boyer

LETTER #16

Stephen Boyer
25205 Via Las Lomas · Murrieta, CA 92562
909-677-4472

January 21, 1994

City of Murrieta
26442 Beckman Court
Murrieta, CA 92562

To: Fred Buss

**Re: Environmental Impact Report on Murrieta's
General Plan**

After reading the EIR, I think that the new **City of Murrieta** needs stronger language and better Levels of Service in the General Plan to ensure the safe and orderly movement of vehicular traffic in the planning area.

SB-1

As stated in the EIR, Level of Service E and F will have a significant negative impact on the traffic in Murrieta. Yet in the General Plan, Level E will be allowed to exist at freeway intersections.

SB-2

In the EIR, Level of Service D, E, and F were found to be unsatisfactory. According to the EIR 33 road segments will operate at that unsatisfactory Level of Service D, E and F even after all improvements are made. Yet, the General Plan allows Level D to exist all over the city and Level E at freeway intersections.

SB-3

These might be rush hour levels, but in the real world when you are trying to make a left turn at a Level E intersection and the turn cannot be completed without a rise of ten points in blood pressure, you will quickly learn to avoid that area and conduct your business elsewhere. How many times have all of us canceled a trip to Temecula because we didn't want to deal with the madhouse at Jefferson and Winchester!

SB-4

Please don't let this young city dig itself into a *traffic hole and bottleneck nightmare* all in the name of economic development. Potential homeowners, businesses and developers will not consider Murrieta as a place to live, work and invest if the traffic is no better than the place they are considering leaving.

SB-5

Let us set our standards higher.

Thank You

Stephen Boyer

LETTER #17

FRIENDS OF THE ALAMOS DISTRICT
37100 Los Alamos Road
Murrieta, CA 92563
February 2, 1994

Mr. Stephen Harding, Planning Director
City of Murrieta
Murrieta City Hall
26442 Beckman Place
Murrieta, CA 92562

Re: Murrieta General Plan Draft EIR

Dear Mr. Harding,

The Friends of the Alamos District is a group of citizens from the general plan area who wish to stabilize and enhance the rural community within the former historic Alamos School District as an enduring open space and economic resource for the city. We would like to take this opportunity to address the draft EIR in order to make it and the general plan a more valuable document for the use of the public and decision-makers.

We note that the vision statement in the general plan depicts Murrieta as a city with rural, open space character. The plan begins to provide the means of securing that open space character. The plan and the draft EIR, however, do not provide the necessary detailed and specific policy, discussion of existing conditions, and mitigations to allow the city to secure this character in the future. Without specific discussion of environmental effects and mitigations as well as comprehensive and timely policies, the city may find itself without the legal grounds to secure the rural, open space character the plan envisions. Moreover, inconsistencies within the documents will make the plan difficult to implement.

LAND RESOURCES.

The land use element and section of the EIR need to evaluate the existing open space value of the general plan area including the sphere of influence and the rural incorporated area east of the I-215. They also need to link the area to open space resources throughout the region. The public and decision-makers would benefit from a discussion of elements that establish open space value and a comprehensive map locating these elements within the general plan area. Figure 4.4-1 is misleading when it characterizes open space areas with key elements as vacant land. Elements that should be analyzed and located on maps in the EIR include hills and relief features, seasonal streambeds with associated vegetation, mature trees, groves of trees, road marker trees, existing trails and walkways, locally characteristic and historic setbacks and architectural styles, historic and archaeological sites including farmsteads and nationally important

trails, areas of natural vegetation and wildlife, rock outcrops, agricultural preserves, horse farms, agricultural operations, locally characteristic road design, scenic roads, and viewsheds. Slopes over 25% need also to be mapped.

FOAD-5

The general plan and the EIR needs to identify and discuss conflicts between land use areas. We need a discussion of the means of avoiding those conflicts. Notification of potential buyers is a woefully inadequate means to avoid conflict (LU-2.3c) since experience has shown that by then it is too late to avoid the conflicts. A thorough evaluation of the value of different widths of buffering between land use designations, including open space areas should be provided. There needs to be a discussion of the problem of using roads as a buffer between areas of rural and open space land use and urban land use. Appropriate features to use as boundaries between land use areas need to be identified.

FOAD-6

The public and the decision-makers need also to have before them a discussion of the basis for the land use designations in the preferred general plan. Why were areas designated as single family urban residential, multi-family residential, rural residential, industrial, and commercial?

FOAD-7

In view of the impacts on existing and future agricultural land use and the stated objective to maintain agriculture as a high community priority, the EIR needs to present a discussion of the means of encouraging agriculture in the general plan area. Potential high value crops for the general plan area need to be identified. The city would best begin by contacting the state and farm advisor's office and local innovative farmers for contributions to the plan.

FOAD-8

The EIR needs to provide a discussion of the level of agricultural use necessary to maintain and encourage agricultural use. The economical viability for a single farm operation cannot be used as the determining index.

FOAD-9

Specifically as regards the Alamos District, we wish to indicate that historically the area has been known as the "Alamos District." "Los" Alamos District is a misnomer. Moreover, the EIR does not correctly identify the boundaries and the contributing elements of the historic district. The district historically included both sides of Los Alamos Road all the way to the former Rancho Temecula boundary now approximately in line with Via Santee. Historic sites including the James Place and a historic eucalyptus woodlot associated with the Hind Ranch are found on the north side of Los Alamos Road. Archaeological sites have also been recorded north of Los Alamos Road. The city needs to engage a professional historic preservationist to evaluate and provide specific mitigations for impacts of the general plan on the historic Alamos District, the downtown historic district, and historic and archaeological resources throughout the city.

FOAD-10

The proposed mitigation measures for land use impacts do not address the identified impacts of increased urbanization on the rural residential neighborhoods and on agricultural land use. Instead they ask the public and decision-makers to adopt a circular logic where urban development is proposed as mitigating the effects of urban development. Rural residential land use designations are a misnomer and have confused the public during the workshop review period. Half-acre lots do not adequately accommodate livestock. Moreover, residents of the area are familiar with the Riverside County use of the term to denote densities of one dwelling unit per 2 1/2 acres.

The EIR needs to include a copy of the specific mitigations provided in the city development code, sign standards, and water conservation ordinance for review by agencies, the public, and the decision-makers.

Proposed mitigations in it EIR itself do not identify and mitigate potential conflict areas between rural and urban uses, including smells, insects, noise, dust, intrusion of pets, vandalism, trespassing, urban pesticide use, traffic, flooding, water contamination, and groundwater recharge. The insufficient mitigation of conflicts does not adopt the point of view of the rural resident or consider rural property values.

The public also needs to be aware of the specific impacts that development of the open space regions of the general plan area will have on the existing urban areas of the city, including economic impacts as permitted by CEQA.

The EIR should evaluate and include the following mitigations for the general plan's impacts on open space and existing and potential agricultural land use:

(1) The identification and mapping of significant natural resource areas including creeks, 25% slopes, multi-species habitat areas and areas of existing farm use and livestock raising.

(2) The identification of specific design elements to be incorporated within design guidelines and public works projects in order to maintain the rural and open space character of the general plan area including building setbacks, road design elements, slope treatments, walkways, trails, existing rock outcrops, natural vegetation areas. These may be presented in terms of performance standards.

(3) The location and mapping of specific rural character and historic areas within the general plan area.

(4) The identification and mapping of appropriate buffer areas between land use areas with the rationale for the determination.

(5) The description of a program in cooperation with the state and Riverside County farm advisor's office to introduce high value crops into the general plan area.

(7) The description of a program in cooperation with Eastern Municipal Water District to use tertiary treated water for agricultural operations within the general plan area.

(8) The description of a certified farmers' market following guidelines established by the state.

(9) The identification of new and innovative crops to be used on locally important, state important, unique, and prime farmland.

(10) The identification of business related to agriculture that may be developed within the city.

(11) The identification of recreational businesses related to agriculture and livestock raising such as a year-round equestrian show and harness racing facility.

BIOLOGICAL RESOURCES.

The draft fails to discuss the value of habitat and wetland conservation to the human species. Such a discussion and evaluation needs to be included for the benefit of the public and future and current decision-makers if they are to weigh successfully open space values versus economic development. The draft should include commentary on the value of conservation for medical research, food production, pest management, water management, recreation, and economic development. It should also discuss the global significance of the general plan area's habitats.

FOAD-16

The EIR is noticeably deficient in its discussion of the Natural Communities Conservation Plan (NCCP) of the Fish and Wildlife Code. The NCCP should be described for the benefit of the public and the decision-makers.

FOAD-17

The draft fails to identify adequately the location of important wildlife species in the general plan area. Discussion omits the presence of the threatened California gnatcatcher in the chaparral and coastal sagebrush areas east of I-215. See the map of the species available from the U.S. Fish and Wildlife Service and the Biological Report on the Adobe Springs II project attached. Potential populations of the endangered Stephens' kangaroo rat in the area are not recorded. Raptor foraging habitat areas are not discussed or mapped. Wetlands and riparian scrub and forest ecosystems are not located. The draft also fails to discuss regional habitat areas that are dependent on those within the general plan area for their continued viability.

FOAD-18

The EIR needs to present a map of potential and known California gnatcatcher, Stephens' kangaroo rat, and raptor foraging habitats as well as wetlands and riparian scrub and forest ecosystems for the benefit of the public and decision-makers. Regional habitat areas also need to be mapped.

FOAD-19

The DEIR does not recognize the seasonal nature of wetlands in the Murrieta general plan area nor does it identify the species dependent on these wetlands. The EIR must provide a locally useful definition of wetlands that will recognize their habitat value. Evaluations of the impact on wetlands depends on state and federal regulation (p.4.4-24). The EIR needs to assess the value of and significance of the project's impacts on local wetlands apart from

FOAD-20

state and federal regulations since a discussion of regulations do not provide an evaluation of the existing local resources.

The discussion of the Stephens kangaroo rat suggests that Murrieta currently participates in a Habitat Conservation Program and collects fees as mitigations that are used for habitat purchase (pp.4.4-15, 4.4-28). The program needs to be clearly identified. Where are the lands that are being purchased as habitat preserve? The attached letter indicates that the City is not a participant in the Riverside County Habitat Conservation Plan.

FOAD-2

The EIR fails to endorse the California Environmental Quality Act requirements for the preparation of an environmental impact report when a project may have a potential significant effect on wildlife populations or movement (p.4.4-26). The procedures and the biological impact report mentioned cannot replace CEQA's requirements. The city must comply with CEQA's provisions for the preparation of an initial study, submission of environmental documents to state and federal agencies, tiering of the final EIR prepared for this project and either an environmental impact report or a negative declaration according to the results of the initial study, the issuing of CEQA's mandated findings, and the issuing of a statement of overriding consideration, if necessary.

FOAD-2

The EIR must inform the public and decision-makers about the provisions of CEQA regarding impacts on wildlife species. As it now stands the EIR gives no indication that city officials must comply with the California Environmental Quality Act when they review development projects and suggests that they may avoid it.

FOAD-2

The use of off-road motorcycles and recreational 4-wheel drive vehicles, the construction of roads, the clearing of fire breaks, and the installation of public utility lines have destroyed biological resources within the general plan area. The staff of the City of Murrieta has demonstrated little familiarity with biological resources in the area and with innovative means to mitigate the impacts of area development. Increased urbanization is likely to increase the frequency of these impacts. These impacts need to be discussed within the EIR and mitigations established.

FOAD-2

Proposed mitigation measures do not provide certain and specific mitigations for impacts caused by the project. The public and decision-makers are asked to accept deferred project conditions and studies as mitigations. Studies are not mitigations and must be carried out during the environmental review process for the benefit of the public and decision-makers. The EIR for the project must present specific mitigations for review. These should include the following:

Fragmentation of Habitat(Impact 4.4-1).

(1) Specific elements to be contained in wildlife and habitat management plans for individual development projects set in terms

of specific performance objectives.

(2) A map of the identified corridors and additional "localized" wildlife movement corridors within the general plan area.

(3) A map indicating how corridors within the general plan area link wildlife preserve areas outside the area including the Santa Rosa Ecological Preserve, the Cleveland National Forest, the Shipley Preserve, and the San Jacinto Foothills.

(4) An evaluation of the biological value of a range of corridor widths needs to be made so that the public and decision-makers may determine the optimal width to mitigate impacts.

(5) A map identifying potential wildlife preserve areas throughout the general plan area and potential and existing wildlife preserve areas in the region including the Santa Rosa Ecological Preserve, the Cleveland National Forest, and the Shipley Reserve needs to be included.

(6) The identification of means of providing for acquisition of preserve areas within the general plan area including density transfers, conservation easements, federal, state, and private grant programs, and habitat maintenance assessment districts.

(7) The identification of the amount of money collected by the City to date for acquisition of wildlife habitat.

(8) The identification of road design elements that will allow species movement.

(9) A map indicating locations for road elements allowing for species movement including box culverts.

(10) An ordinance prohibiting the use of recreational vehicles in sensitive habitat areas.

(11) Guidelines for the construction of public and private roads, fire breaks, and public utility lines in wildlife habitat areas and corridors.

(12) The creation of a program to inform city staff members about the biological resources within the general plan area.

(13) The creation of a resource conservation commission and resource conservation officer staff position for the City of Murrieta.

(14) A map indicating potential agricultural and open space land use in areas adjacent to identified biological communities (Figure 4.4-1).

(15) A map identifying traffic-avoidance areas.

Riparian Scrub and Forest habitat. (Impact 4.4-2).

(1) It is unclear why a 100-foot buffer has been set as a mitigation. The EIR needs to explain why that width was chosen as a means of mitigating impacts.

(2) An examination of the value of varying buffer and setback widths in preserving California gnatcatcher, Cooper's hawk, and "numerous other special-status species."

(3) The identification of roadway crossing design features that will accommodate the passage of wildlife.

(4) Performance standards to accommodate the movement of wildlife across roadways.

(5) The definition and listing of "best management practices" for the benefit of the public and decision-makers.

FOAD-25

Wetlands, Springs, and Creeks (Impact 4.4-3).

- (1) Performance standards setting the "minimum" level of impact on water features to be permitted.
- (2) A discussion of the value of and identification of specific means of compensation for wetland loss to be permitted.
- (3) A wetland delineation study must be done preliminary to project approval and not as a condition of approval in order for the public and decision-makers to assess the impacts of a proposed project.

Special Status Wildlife and Plants (Impacts 4.4-4, 4.4-6).

- (1) CEQA's provisions for the protection of special status wildlife.
- (2) An identification of the means of avoiding impacts on wildlife, including clustering, density transfers, conservation easements, public and private grant programs for preserves, specific land management practices for property owners, road design elements, exactions for preserve purchase, habitat maintenance assessment districts, and the natural communities conservation plan provisions of the state code.

Stephens kangaroo rat (Impact 4.4-5).

- (1) The identification and description of specific elements in a plan to provide for mitigation of impacts including an identification of preserve areas within the general plan area.
- (2) The identification of means of mitigation for impacts including clustering, density transfers, conservation easements, public and private grant programs for preserve purchase, specific land management practices, road design elements, exactions for preserve purchase, habitat maintenance assessment districts, and the natural communities conservation plan provisions of the state code.
- (3) A description of a future City ordinance specifying protections to be adopted.

Santa Rosa Plateau Ecological Reserve (Impact 4.4-6).

- (1) The identification of agricultural and open space land use adjacent to the preserve.
- (2) The identification of road design elements that will accommodate wildlife movement in general plan areas adjacent to the preserve.

IMPACTS ON EXISTING ROAD SYSTEM.

Impacts of the general plan on circulation is not adequately investigated. The public needs to know specific road standards to be adopted in Policy C-1.1a and how they will effect existing neighborhood activities. A map of existing residential neighborhoods in the general plan area as defined by the California Vehicle Code referred to in Policy C-1.3a needs to be included for our information. We need to know how increased traffic throughout the general plan area will effect pedestrians, including school children, bicyclists, and equestrians. Potential areas of conflict

FOAD-2

FOAD-2

must be mapped and presented. The document must also take into account the increased numbers of vehicles transporting children to school sites and the effect of increased traffic on business and agriculture. The public needs to know how general plan area roads will effect historic, cultural, biological, and water resources. Cumulative and growth-inducing impacts generated within the City by the general plan circulation in conjunction with development in the surrounding region need to be discussed as well.

More specifically, Figures 4.8-1 through 4.8-5 do not present the existing rural system along Los Alamos Road from Via Santee to Winchester Road. The maps suggest that Los Alamos follows a relatively direct line east from its intersection with Clinton Keith Road, that it makes a right angle turn in that area, and that it is not directly attached to Winchester Road. The map also includes several roads in the area that do not exist: (1) a road intersecting at the L in "Los" and traveling north to Antelope and Clinton Keith (2) a road intersecting Whitewood at the R in "Rd." and traveling southeast. See the attached map for a record of the existing roads.

FOAD-28

Moreover, the figures fail to include a number of rural lanes accessing Los Alamos in the rural area including Celia Road, Mason Avenue, Shannon Lane, and Liberty Lane.

The draft ignores the numerous points of potential conflict along the rural section of Los Alamos Road proposed for widening to 4 lanes between Via Santee and Winchester Road. These include the areas on the attached map where the rural lanes and private driveways access Los Alamos. The proposed road from Clinton Keith joining Los Alamos from the northwest will form a major thruway into the rural neighborhood, creating a dangerous conflict between neighborhood and commuter traffic like that "cut through route" existing along Calle Medusa in Temecula. These areas of conflicts need to be recognized and mitigated.

FOAD-29

In addition, the draft document fails to record the impacts of of increased traffic on pedestrians, including school children and recreational walkers, equestrians, and bicylists who use the rural section of Los Alamos Road. A particularly dangerous areas exists along Los Alamos Road where the road parallels a seasonal streambed and pedestrians and equestrians are forced to travel a narrow strip between the two. The draft also fails to note points of existing and potential conflict where private lanes enter the road system.

FOAD-30

The public and decision-makers need to be presented with an accurate map of the existing road system, its users, and points of existing and potential conflicts in order to evaluate impacts of the project. The caveat in the California Environmental Quality Act to give increased attention to impacts of development in rural areas must be heeded here.

The following mitigation measures need to be included in the EIR discussion of mitigations for the impacts identified above.

(1) Development project applicants must provide an analysis of the impacts of circulation generated by their project on existing neighborhoods before project approval.

(2) A list of the energy efficient road standards recommended by the Institute of Transportation Engineers including reduced pavement widths, elimination of conventional urban curbs, and use of road shoulders instead of conventional parking lanes.

(3) The creation of sidewalk setbacks.

(4) The separation of equestrians from vehicular traffic and the use of protective fencing.

(5) A map of an integrated Class 1 and Class 2 (on- and off-road) system of bicycle paths and lanes for schoolchildren and students of San Jacinto Community College throughout the general plan area linking with the Riverside County and Temecula multi-purpose trail system.

(6) A map of an equestrian trail system throughout the general plan area linking with the Riverside County and Temecula multi-purpose trail system.

(7) A map indicating the future location of park and ride lots.

(8) A map showing existing and potential schoolbus stops.

(9) A map of road parkways to be built with planted medians throughout the general plan area including Jefferson, Madison, Hancock, Los Alamos, Murrieta Hot Springs Road, Whitewood, California Oaks Road, Antelope Road, Meadowlark, and Clinton Keith Road.

(10) A map showing sensitive biological, cultural, and water resources that need to be accommodated by special road elements.

(11) Diversion of traffic along alternate routes to avoid impacts on sensitive biological, cultural, and water resources.

(12) Identification of federal and state grant programs that provide for road and trail design through sensitive areas.

CULTURAL RESOURCES

The draft EIR needs to present an overview of the periods of Murrieta history. It also needs to identify and describe for the benefit of the public and decision-makers an integrated historic preservation approach. The state Historic Resources Inventory, the National Register, and the state and county landmarks program need to be identified, distinguished, and briefly described as planning tools for the public and decision-makers. The discussion needs to identify the major principles of cultural site preservation including Department of Interior Guidelines.

Forwarding descriptions of proposed projects to the Eastern Information Center is not an adequate means of determining the historic and cultural sites that may be impacted by pending projects under CEQA since the center's information is limited. Following CEQA, the city must require that potential significant effects on historic and cultural sites be identified and studied during project review. Surveying, testing, and data recovery are not appropriate mitigations for impacts on cultural sites since

FOAD-3

FOAD-3

their purpose is to identify the nature of the impact.

The EIR needs to include the following mitigations:

(1) The description of a facade and conservation easement program.

(2) The identification of state and federal grant programs for the purchase and management of historic and cultural sites.

Time precludes our giving complete commentary on the effects of the plan on cultural resources.

PLAN ALTERNATIVES.

We are constrained here in our comments due to the short amount of time.

The alternatives addressing change from existing conditions in the general plan area including the no project or SWAP alternative presented and the specific plan alternative are inadequate. These two alternatives do not provide mitigations for the significant effects as noted in the draft environmental impact report and the above comments.

SUMMARY

We are particularly concerned about the numerous inconsistencies in the general plan and the draft

The public review period for the draft EIR precludes a full examination of the draft plan and EIR. The draft EIR was released during the Christmas holidays. The draft general plan was finalized on January 26, 1994. The draft EIR depends on mitigation measures included within the plan. Moreover, our review of the draft EIR and general plan to date indicate major effects that have not been mitigated or adequately addressed by the alternatives proposed in the draft EIR or by policies in the plan.

The untimely release of the environmental impact report and the beginning of the review period before the release of the draft plan have confused the public. The schedule in fact suggests that the city has not properly acted on its obligation under the California Environmental Quality Act to inform the public. The public in compliance with the intentions of the Legislature should be able to comment fully on the environmental impact report for the benefit of the city's decision-makers.

Under the circumstances our group can only begin to address issues raised by the general plan related to biological and historic resources, land use and circulation and comment on the value of the alternatives presented for review.

Consequently we request additional time to review the environmental impact report.

FOAD-33

FOAD-34

FOAD-35

We hope to add additional comments on the effects of the general plan on environmental resources in the general plan area and that the public and the decision-makers may have the benefit of review of the issues raised by our comments.

FOAD-

Sincerely,

Rita Gentry

Rita Gentry
Spokesperson

LETTER #18

PATRICK C. HALEY
33447 Little Reb Place
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TEL: (909) 672-2966 FAX: (909) 672-9570

March 1, 1994

Mr. Stephen G. Harding, Director
City of Murrieta Planning Department
Murrieta City Hall: 26442 Beckman Court
Murrieta, California 92562

Dear Mr. Harding,

I wish to express my serious concern regarding Relevant Policies of the Murrieta General Plan and Impacts and Mitigation Measures as proposed in the Environmental Impact Report regarding Hydrology and Water Quality, section 4.3. I am specifically directing my attention to Policy S-2.1h: Surface Water Runoff from New Development Shall be Controlled by On-site Measures including but not limited to the following (P 4.3-6):

Structural Controls

Restricting changes in topography

*Removal of Vegetation; and limited areas of impervious surfaces

Implementation of these practices are proposed to mitigate the impact on flood exacerbation, soil erosion and groundwater recharge (impacts 4.3-1, 4.3-2 and 4.3-4). I disagree completely with the proposal to remove vegetation as a mitigation measure. To the contrary, it will enhance all impacts addressed, and in a major way if the proposed density levels and build-out you anticipate do indeed take place. I am attaching excerpts from four reference texts, spanning the period from 1977 to 1994, which describe the impact of vegetation on mitigation of flooding, soil erosion and recharge. None of them recommend removal of vegetation but rather describe the necessity of retaining it. Common sense also dictates the importance of maintaining vegetation. These references are:

Man & His Geologic Environment, 2nd Ed., 1977, Cargo & Mallory

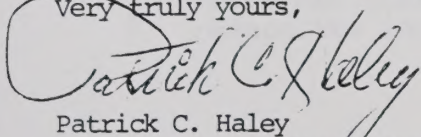
Environmental Geology, 2nd Ed., 1989, Carla Montgomery

Environmental Science, 1993, Morgan, Moran & Wiersma

Environmental Science, 4th Ed., 1994, Daniel D. Chiras

The proposal to remove vegetation presented in your EIR are directly opposed to what professionals know and understand to be proper treatment to reduce the impacts of high density development on water quality, increased flooding, soil erosion and loss of recharge. What you are planning will cause greater problems. Please investigate this issue more carefully, particularly by seeking the advice of a dis-interested outside professional hydrogeologist to review these proposals.

Very truly yours,



Patrick C. Haley

CC: Carmela Loelkes, Chairperson, Planning Commission

PH-1

Stephen Harding
Planning Director
City of Murrieta

Dear Mr. Harding:

Thank you for the opportunity to review the Draft EIR for the City of Murrieta General Plan. We have not prepared comments on the Summary as we have chosen to discuss the issues in the relevant sections. These discussions would of course relate to the Summary as well. Our comments are discussed below.

4.1 Land Use:

The discussion of the potential impacts to land use are inadequate.

The EIR does not provide substantiation that the mitigation measures will mitigate the potential impacts identified. The EIR merely asserts that the mitigation measures are adequate. There is no attempt to discuss how the proposed mitigation measures will reduce the potential impacts. Had such substantiation been attempted, the authors would have noted that the impacts are still significant according to the criteria of significance below:

Bullet 3 " a substantial change of existing or planned land use patterns in the area."

One could hardly argue that the proposed development of the area is not a substantial change from the existing land use in the area given the fact that it will result in a fivefold increase in the population and result in the conversion of all agricultural lands. Additionally, the proposed land use changes will result in substantial changes from the currently planned land uses for the area. These changes include:

a 34 % increase in population from the current SWAP plan.

The total elimination of all agricultural zoning

A tenfold increase in the density of development in the steep hillside areas of the Antelope Hills.

A tenfold increase or more in the density of development in the areas identified as habitat for the Federally Threatened California Gnatcatcher.

The mitigation measures proposed are speculative in nature in that they are General Plan Policies only and will not necessarily be implemented. Additionally, many of these policies are couched in terms of " encouraging " and thus do not meet the Sundstrom test of certainty.

The DEIR uses LU-1.7a as a mitigation measure designed to reduce the potential impacts. The policy in the plan is not implemented

RJ-1

in the plan. Despite the presence of steep slopes, 8,000 acres of Stephen's Kangaroo Rat habitat and over 3,000 acres of California Gnatcatcher habitat, not one acre has been designated as open space to provide protection. These areas are all proposed for residential, commercial or industrial development thus ensuring their destruction.

The rule of law established in *Sundstrom v The County of Mendocino* was that because the success of mitigation measures was uncertain, the agency could not have reasonably determined that significant effects would not occur.

AB2583 requires that "the lead agencies determination of whether a project may have a significant effect on the environment be based on substantial evidence in the record". The DEIR fails short of this burden of proof. THE IMPACTS TO LAND USE THEREFORE REMAIN SIGNIFICANT IMPACTS.

Mitigation: The CEQA Guidelines, in section 15021 require:

(a) CEQA establishes a duty for public agencies to avoid or minimize environmental damage where feasible.

(1) In regulation public or private activities, agencies are required to give major consideration to preventing environmental damage.

(2) A public agency should not approve a project as proposed if there are feasible alternatives or mitigation measures available that would substantially lessen any significant effects that the project would have on the environment.

(b) In deciding whether changes in a project are feasible, an agency may consider specific economic, environmental, legal, social and technological factors.

(c) The duty to prevent or minimize environmental damage is implemented through the findings required by Section 15091.

(d) CEQA recognizes that in determining whether and how a project should be approved, a public agency has an obligation to balance a variety of public objectives, including economic, environmental, and social factors and in particular the goal of providing a decent home and satisfying living environment for every Californian. An agency shall prepare a statement of overriding considerations as described in Section 15093 to reflect the ultimate balancing of competing public objectives when the agency decides to approve a project that will cause one or more significant effects on the environment.

There are clearly mitigation measures or alternatives which could reduce the identified impacts. The City has made no attempt to

evaluate meaningful alternatives or to develop mitigation measures adequate to mitigate the impacts.

4.2 Geology:

RJ-2

The DEIR does not provide any information relative to the risks from the San Jacinto, Lake Elsinore or Wolf faults. There is no reference to the maximum credible event expected from any of these faults even though they lie within the city or are very nearby. The primary reference is to the San Andreas fault, some 50 miles distant.

There is no discussion of the potential impacts as a result of the modification of landform.

RJ-3

Mitigation measure 4.2-1(a) does not ensure anything. The policy referenced only says that the City shall develop standard grading conditions that address erosion and siltation.

RJ-4

Mitigation measure 4.2-1(b) only refers to "major" projects and projects on slopes of 25% or greater. There is no definition of major projects and no mitigation for projects which are not considered to be "major".

This measure clearly does not take into account the cumulative impacts of smaller projects, the overwhelming majority.

RJ-5

Mitigation measure 4.2-2(c) only applies to discretionary projects. There is no method of providing mitigation for ministerial projects.

There are no standard by which the adequacy of future mitigation can be evaluated.

RJ-6

AB2583 requires that "the lead agencies determination of whether a project may have a significant effect on the environment be based on substantial evidence in the record". The DEIR does not meet this test.

The mitigation measures proposed are speculative in nature in that they are General Plan Policies only and will not necessarily be implemented. Additionally, many of these policies are couched in terms of "encouraging" and thus do not meet the Sundstrom test.

The EIR does not provide substantiation that the mitigation measures will mitigate the potential impacts identified. The EIR merely asserts that the mitigation measures are adequate. There is no attempt to discuss how the proposed mitigation measures will reduce the potential impacts. Had such substantiation been attempted, the authors would have noted that the impacts are still significant according to the criteria of significance below:

The mitigation measures proposed are speculative in nature in that they are only General Plan Policies and will not necessarily be implemented. Additionally, many of these policies are couched in terms of "encouraging" and thus do not meet the Sundstrom test of certainty. The rule of law established in Sundstrom v The County of Mendocino was that because the success of mitigation measures was uncertain, the agency could not have reasonably determined that significant effects would not occur.

The DEIR falls short of this burden of proof. THE IMPACTS TO GEOLOGY THEREFORE REMAIN SIGNIFICANT IMPACTS.

4.3 Hydrology and Water Quality

AB2583 requires that "the lead agencies determination of whether a project may have a significant effect on the environment be based on substantial evidence in the record".

RJ-7

The mitigation measures proposed are speculative in nature in that they are only General Plan Policies and will not necessarily be implemented. Additionally, many of these policies are couched in terms of "encouraging" and thus do not meet the Sundstrom test of certainty. The rule of law established in Sundstrom v The County of Mendocino was that because the success of mitigation measures was uncertain, the agency could not have reasonably determined that significant effects would not occur.

The EIR does not provide substantiation that the mitigation measures will mitigate the potential impacts identified. The EIR merely asserts that the mitigation measures are adequate. There is no attempt to discuss how the proposed mitigation measures will reduce the potential impacts. Had such substantiation been attempted, the authors would have noted that the impacts are still significant according to the criteria of significance below:

Bullets 1,5,6 and 8 page 4.3-7

RJ-8

A 30 % increase in impervious area within the city will have a significant impact on the environment.

The DEIR falls short of this burden of proof. THE IMPACTS TO HYDROLOGY AND WATER QUALITY THEREFORE REMAIN SIGNIFICANT IMPACTS.

4.4 Biological Resources:

RJ-9

page 4.4-2 second line, Natural Diversity Data Bank" should read Natural Diversity Data Base.

RJ-10

Figure 4.4-1 does not identify habitat areas in the Antelope Hills or in the hills in the northeast corner of the sphere of influence.

The figure shows only two small areas of SKR in spite of the fact that the text identifies over 8,000 acres of SKR habitat.

The figure does not show the location of the gnatcatcher habitat.

RJ-11

Table 4.4-1 states that there is no occurrence of the Least Bell's Vireo in the plan area. There was a documented report of the LBV in Cole Canyon according to the USFWS.

States that the occurrence of the Southwestern Pond Turtle is unknown. The Wetlands delineation for the RCFCDC Murrieta Creek project identified the presence of the SWP in the City.

RJ-12

Page 4.4-15 in the discussion of the California Gnatcatcher does not identify the fact that the species is federally listed as threatened. There is no reference to the thousands of acres of habitat as identified by the USFWS in a map which was presented to your office by our group prior to the release of the DEIR. There is reference to only one identified occurrence of the gnatcatcher in the plan area, east of the hogbacks. To my knowledge, there have only been gnatcatcher surveys in only three areas within the city and sphere. These three projects included Adobe Springs, Adobe Springs 2 and the Borrel airpark. All three of these projects identified the presence of the gnatcatcher.

RJ-13

Page 4.4-16 Least Bells Vireo- see note above re table 4.4-1

General Plan Policies:

RJ-14

Policy COS-2.1i should read Develop and maintain not develop and create.

Impacts and mitigation:

RJ-15

The guidelines define a "significant effect on the environment" as a "substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic and aesthetic significance." (CEQA Guidelines, P 15382)

AB2583 requires that "the lead agencies determination of whether a project may have a significant effect on the environment be based on substantial evidence in the record".

The mitigation measures proposed are speculative in nature in that they are only General Plan Policies and will not necessarily be implemented. Additionally, many of these policies are couched in terms of "encouraging" and thus do not meet the Sundstrom

test of certainty. The rule of law established in Sundstrom v The County of Mendocino was that because the success of mitigation measures was uncertain, the agency could not have reasonably determined that significant effects would not occur.

Impact 4.4-1 Habitat fragmentation

There is no reference to the problems associated with the fragmentation of the 8,000 acres of SKR habitat or the thousands of acres of gnatcatcher habitat.

There is no discussion about the fact that there is no connection to the habitat areas in the Antelope Hills or the area east of I-215. The primary point of connection is Warm Springs which has a discontinuous stretch of habitat corridor from Murrieta Creek to I-15.

The mitigation measures proposed are speculative in nature in that they are only General Plan Policies and will not necessarily be implemented. Additionally, many of these policies are couched in terms of "encouraging" and thus do not meet the Sundstrom test of certainty. The rule of law established in Sundstrom v The County of Mendocino was that because the success of mitigation measures was uncertain, the agency could not have reasonably determined that significant effects would not occur. The mitigation measures proposed provide no standards by which future mitigation can be evaluated.

The DEIR falls short of this burden of proof. THE IMPACTS THEREFORE REMAIN SIGNIFICANT IMPACTS.

Impact 4.4-2

This impact seems to concern itself primarily with the creation of an urban edge without mentioning the fact that the plan as proposed will result in the loss of 8,000 acres of SKR, a federally endangered species, habitat, as well as the destruction of thousands of acres of California Gnatcatcher, a federally listed threatened species, habitat. Similarly there is no discussion of the loss of habitat for the Least Bell's Vireo, a federally listed endangered species.

The mitigation measures proposed are speculative in nature in that they are only General Plan Policies and will not necessarily be implemented. Additionally, many of these policies are couched in terms of "encouraging" and thus do not meet the Sundstrom test of certainty. The rule of law established in Sundstrom v The County of Mendocino was that because the success of mitigation measures was uncertain, the agency could not have reasonably determined that significant effects would not occur.

The DEIR falls short of this burden of proof. THE IMPACTS THEREFORE REMAIN SIGNIFICANT IMPACTS.

Impact 4.4-3

Measure 4.4-3(e) contains errors sufficient to render it unreadable.

The mitigation measures proposed are speculative in nature in that they are only General Plan Policies and will not necessarily be implemented. Additionally, many of these policies are couched in terms of "encouraging" and thus do not meet the Sundstrom test of certainty. The rule of law established in Sundstrom v The County of Mendocino was that because the success of mitigation measures was uncertain, the agency could not have reasonably determined that significant effects would not occur.

The DEIR falls short of this burden of proof. THE IMPACTS THEREFORE REMAIN SIGNIFICANT IMPACTS.

Impact 4.4-4

The first paragraph 10 not 8 species have been observed.

The third paragraph notes that hundreds of acres of habitat would be lost. Rather than hundreds of acres, the result will be the conversion of tens of thousands of acres of habitats including the conversion of over 10,000 acres of habitat for federally listed threatened or endangered species.

The 1,962 acres of natural open space habitat proposed to be preserved will be in the form of restored riparian habitat in Murrieta creek along with an area in Warm Springs. The areas to be preserved will provide a habitat corridor with substantial edge effects and is therefore of questionable value as base habitat. There is no attempt to provide protection of significant habitat areas in spite of the fact that the General Plan states that significant hillside and habitat areas would be designated as open space. There is not one documented instance of this happening within the proposed land use plans.

The mitigation measures proposed are speculative in nature in that they are General Plan Policies and will not necessarily be implemented. Additionally, many of these policies are couched in terms of "encouraging" and thus do not meet the Sundstrom test of certainty. Measure 4.4-4 states "Mitigation measures might do the following:". The rule of law established in Sundstrom v The County of Mendocino was that because the success of mitigation measures was uncertain, the agency could not have reasonably determined that significant effects would not occur.

The DEIR falls short of this burden of proof. THE IMPACTS THEREFORE REMAIN SIGNIFICANT IMPACTS.

Impact 4.4-5

The proposed mitigation for the impacts involve the payment of fees and do not guarantee mitigation. The City is not a member of the Riverside County HCA and therefore its rules do not apply. The City is attempting to put the responsibility for mitigating effects on another agency which may not have a discretionary action and therefore no CEQA power.

RJ-20

The mitigation measures proposed are speculative in nature in that they are only General Plan Policies and will not necessarily be implemented. Additionally, many of these policies are couched in terms of "encouraging" and thus do not meet the Sundstrom test of certainty. The rule of law established in Sundstrom v The County of Mendocino was that because the success of mitigation measures was uncertain, the agency could not have reasonably determined that significant effects would not occur.

The DEIR falls short of this burden of proof. THE IMPACTS THEREFORE REMAIN SIGNIFICANT IMPACTS.

Impact 4.4-6

This section does not even provide a discussion of the potential impacts let alone any discussion of how the proposed mitigation measure will effectively mitigate the potential impacts. The four lines of text devoted to the impacts to rare, threatened or endangered plants would not even been sufficient for a listing of the names of the plants in question.

RJ-21

The mitigation measures proposed are speculative in nature in that they are only General Plan Policies and will not necessarily be implemented. Additionally, many of these policies are couched in terms of "encouraging" and thus do not meet the Sundstrom test of certainty. The rule of law established in Sundstrom v The County of Mendocino was that because the success of mitigation measures was uncertain, the agency could not have reasonably determined that significant effects would not occur.

The DEIR falls short of this burden of proof. THE IMPACTS THEREFORE REMAIN SIGNIFICANT IMPACTS.

Impact 4.4-7

The DEIR did not evaluate land use alternatives or mitigation measures to reduce this potential impact. One measure proposed the addition of an additional habitat

corridor and the other required coordination.

RJ-22

The mitigation measures proposed are speculative in nature in that they are only General Plan Policies and will not necessarily be implemented. Additionally, many of these policies are couched in terms of "encouraging" and thus do not meet the Sundstrom test of certainty. The rule of law established in Sundstrom v The County of Mendocino was that because the success of mitigation measures was uncertain the agency could not have reasonably determined that significant effects would not occur.

The DEIR falls short of this burden of proof. THE IMPACTS THEREFORE REMAIN SIGNIFICANT IMPACTS.

Additional Impacts:

RJ-23

There is no mention of the significant impact of the loss of or fragmentation of thousands of acres of California gnatcatcher habitat.

Additional Mitigation Measures:

Utilize Hazard and Resources Overlay Maps to identify areas suitable or required for retention as open space. Resources and issues identified on the Overlays which indicate open space as an appropriate use may include flood, fire, geologic, aviation, noise, cultural, prime soils, biological, scenic resources, minerals, agricultural preserves, utility corridors, water supply and water recharge.

Adopt policies which clearly state that the City General Plan is the guiding policy and planning document for all agencies within City government. Land use related plans and programs adopted and implemented by individual City agencies shall be required to be consistent with the General Plan.

RJ-24

Because preservation of natural systems requires the establishment of habitat areas larger than can be provided within individual developments, and since many habitat areas are at risk of being lost to urban encroachment, the City shall seek to establish a publicly owned open space system, purchasing land or development rights, or transferring development rights or density, where necessary to prevent development of important open space areas.

Because preservation of natural resources cannot be accomplished only through the use of publicly owned land, the City shall apply the following policies to development and construction proposals on private lands.

- Require that private lands which exhibit unique features, as identified on the Resource Overlay Map or discussed in this Open Space Element, shall maintain those features. Compensation by allowing the transfer of development rights will be the preferred mechanism for accomplishing this goal. "Unique features" may include significant topographic features, ridgelines, habitats for threatened and endangered species, and habitats of limited dispersion in the City.
- Encourage donation or exchange of lands with sensitive biota resources (including, but not limited to, areas shown on the Resources Overlay) to non-profit environmental organizations or responsible agencies (USFS, the Nature Conservancy, etc.).
- Promote common-interest Planned Developments requiring open space and allowing transfer of development rights.
- Apply a Resource Conservation Land Use District in area of public and private open space which by its location, access limitations, natural resources, terrain or scenic qualities is suited for low intensity use.
- Direct growth away from areas containing fragile or erosion-prone soils, especially those which support natural habitats.

Because preservation of large habitat areas can be more successful as a natural resource preservation strategy than preservation of smaller, scattered areas within individual developments, the City supports the concept of "habitat banking," and shall make this type of system available to developers.

Because preservation of natural resources can in many cases be achieved by providing sufficient distance between natural and developed areas, the City shall ensure that roads and buildings have an appropriate setback from riparian corridors. These setbacks shall be based on an engineering inundation analysis and on the wildlife and plant communities within the corridor, and shall consist of at least the following:

- Provide a setback of at least 50 feet from the edge of the mean annual flow area for all intermittent washes designated as "blue lines" on USGS quadrangle maps where riparian communities exist.

- P

Provide a setback of at least 100 feet from the edge of the mean flow area for all perennial creeks and streams designated as "blue lines" on USGS quad sheet maps.

- Provide a corridor extending to the ridgelines defining the watercourse, or of a size determined by a qualified biologist to be sufficient to maintain wildlife use for all larger riparian areas, such as large creeks and rivers.
- These setbacks may be waived in the case of roadway crossings, roadways on levees adjacent to water courses, or in similar situations where physical separation is not possible or appropriate.
- Where residential uses are closer than 200 feet to an area of sensitive habitat, fencing shall be provided to separate household pets from habitat areas.

Because preservation of rare, threatened, or endangered species depends on the preservation of habitat which supports populations of these species, the City shall implement the following policies:

- Seek to protect and conserve rare or endangered flora and fauna with limited or specialized habitats as well as common habitats necessary to support these species.
- Require all City agencies, including Special Districts and County Transportation/Flood Control Department, to demonstrate that their projects meet the overall Biotic Resource and Open Space policies of the City prior to proceeding. Approval for projects which do not meet with these policies shall be made only when it can be demonstrated that no technically feasible alternative exists.
- Seek to provide protection and management to maintain habitat values where protection of natural areas and endangered species is not provided by another agency.
- Review land use designations to ensure that planned land uses provide adequate protection for natural areas in areas containing known or potential biotic resources or designated as open space, habitat corridors, or proposed trail alignments on the Resources Overlay. This policy shall also apply to areas adjacent to open spaces, corridors, or trail alignments.

Because the development of private lands can adversely affect the management strategies of agencies which administer public lands within or adjacent to the City of Murrieta, the City shall apply the following policies:

- Support the transfer of private inholdings into public ownership through appropriate mechanisms to reduce "checkerboard" ownership.
- Review the planning documents of the public agency to determine the intensity of uses allowed when examining private land uses which are surrounded by public lands. The more restrictive policies shall be applied.

Because damage to natural resources can be prevented by discouraging inappropriate development, the City shall discourage single family residential development proposed within areas with riparian corridors. In all areas with natural habitat values, the City shall encourage development to be clustered or otherwise adapted to protect special habitat areas from damage.

Because preservation of natural resources will require the implementation of new plans and policies, the City shall implement the following actions:

- Establish habitat "land banks" as mitigation for loss of isolated resources.
- Initiate the preparation of Multi-Species Habitat Conservation Plans for all endangered species within the City whose habitats are judged by the state Department of Fish and Game or the federal Fish and Wildlife Agency to be subject to encroachment and destruction by any type of development or resource extraction.
- Prepare a "Protected Species Mitigation Ordinance" specifying specific buffer distances and other considerations which shall apply to all public and private development activities with the potential to affect threatened or endangered species or habitat areas.
- Work with state and federal agencies to identify public lands available for acquisition or exchange.

Conclusion:

The EIR does not provide substantiation that the mitigation measures will mitigate the potential impacts identified. The EIR

merely asserts that the mitigation measures are adequate. There is no attempt to discuss how the proposed mitigation measures will reduce the potential impacts. Had such substantiation been attempted, the authors would have noted that the impacts are still significant according to the criteria of significance below:

Bullets 1,2,4 and 5 page 4.4-21

Mitigation: The CEQA Guidelines, in section 15021 require:

(a) CEQA establishes a duty for public agencies to avoid or minimize environmental damage where feasible.

(1) In regulation public or private activities, agencies are required to give major consideration to preventing environmental damage.

(2) A public agency should not approve a project as proposed if there are feasible alternatives or mitigation measures available that would substantially lessen any significant effects that the project would have on the environment.

(b) In deciding whether changes in a project are feasible, an agency may consider specific economic, environmental, legal, social and technological factors.

(c) The duty to prevent or minimize environmental damage is implemented through the findings required by Section 15091.

(d) CEQA recognizes that in determining whether and how a project should be approved, a public agency has an obligation to balance a variety of public objectives, including economic, environmental, and social factors and in particular the goal of providing a decent home and satisfying living environment for every Californian. An agency shall prepare a statement of overriding considerations as described in Section 15093 to reflect the ultimate balancing of competing public objectives when the agency decides to approve a project that will cause one or more significant effects on the environment.

The DEIR has not met this test and additional mitigation including the re-designation of habitat areas to open space or the lowest possible density.

4.5 Housing and Employment

The EIR does not provide substantiation that the mitigation measures will mitigate the potential impacts identified. The EIR merely asserts that the mitigation measures are adequate. There is no attempt to discuss how the proposed mitigation measures

RJ-26

will reduce the potential impacts. Had such substantiation been attempted, the authors would have noted that the impacts are still significant according to the criteria of significance below:

Bullets 1 and 3 page 4.5-10

The increase of 500% from existing population and the increase of 34% above existing planned population is clearly a significant impact. THIS IMPACT REMAINS A SIGNIFICANT IMPACT.

Section 4.6 Utilities:

AB2583 requires that "the lead agencies determination of whether a project may have a significant effect on the environment be based on substantial evidence in the record". This evidence is lacking.

RJ-27

The EIR does not provide substantiation that the mitigation measures will mitigate the potential impacts identified. The EIR merely asserts that the mitigation measures are adequate. There is no attempt to discuss how the proposed mitigation measures will reduce the potential impacts. Had such substantiation been attempted, the authors would have noted that the impacts are still significant according to the criteria of significance below:

Bullets 1, 4 and 5 page 4.6-5

There is no discussion of the amount of solid waste relative to existing capacity.

Somehow increases of 354% for water and 268% for wastewater are somehow not considered to be significant increases which is the test in the standards of significance.

Section 4.7 Public Services

The two standards for significance are ones of requiring additional staff or equipment or need for new or expanded facilities. Clearly the impacts discussed meet this test even after mitigation.

Impact 4.7-1

The proposed development would require the addition of 53 police officers as well as equipment, facilities, jails, courts etc. This meets the test.

Impact 4.7-2

RJ-28

The proposed development would require the addition of over

145 uniformed fire fighters as well as equipment, structures and support personnel. This clearly meets the test of significance.

Impact 4.7-3

The adequacy of the proposed mitigation depends upon some undisclosed fee. Even with the fee, the proposed development will meet the test of the standards of significance as they are written.

General

The EIR does not provide substantiation that the mitigation measures will mitigate the potential impacts identified. The EIR merely asserts that the mitigation measures are adequate. There is no attempt to discuss how the proposed mitigation measures will reduce the potential impacts. Had such substantiation been attempted, the authors would have noted that the impacts are still significant according to the criteria of significance below:

Bullets 1 and 2 page 4.7-5

The mitigation measures proposed are speculative in nature in that they are only General Plan Policies and will not necessarily be implemented. Additionally, many of these policies are couched in terms of "encouraging" and thus do not meet the Sundstrom test of certainty. The rule of law established in Sundstrom v The County of Mendocino was that because the success of mitigation measures was uncertain, the agency could not have reasonably determined that significant effects would not occur.

The DEIR falls short of this burden of proof. THE IMPACTS THEREFORE REMAIN SIGNIFICANT IMPACTS.

4.8 Transportation and Circulation:

The EIR does not provide substantiation that the mitigation measures will mitigate the potential impacts identified. The EIR merely asserts that the mitigation measures are adequate. There is no attempt to discuss how the proposed mitigation measures will reduce the potential impacts. Had such substantiation been attempted, the authors would have noted that the impacts are still significant according to the criteria of significance below:

Bullets 1 and 2

The analysis indicates that in spite of mitigation, fifteen road segments would function at LOS E or F in direct conflict with Standard of Significance #2

The level of traffic increase is clearly significant relative to

the current traffic levels which is the standard of significance in standard #1.

AB2583 requires that "the lead agencies determination of whether a project may have a significant effect on the environment be based on substantial evidence in the record". This evidence is not present.

The mitigation measures proposed are speculative in nature in that they are only General Plan Policies and will not necessarily be implemented. Additionally, many of these policies are couched in terms of "encouraging" and thus do not meet the Sundstrom test of certainty. The rule of law established in Sundstrom v The County of Mendocino was that because the success of mitigation measures was uncertain, the agency could not have reasonably determined that significant effects would not occur.

The DEIR falls short of this burden of proof. THE IMPACTS THEREFORE REMAIN SIGNIFICANT IMPACTS.

4.9 Air Quality:

Curiously, the DEIR refers to significant "Temporary Construction Impacts". How "temporary" impact which are expected to last 17 years, can be considered temporary defies reason.

Emissions of over 20 tons per day of NOX contrasted to a SCAQMD threshold of 55 pounds per day would appear to be significant. The same would appear to be true for all criteria pollutants.

AB2583 requires that "the lead agencies determination of whether a project may have a significant effect on the environment be based on substantial evidence in the record". In this case there is much evidence that the impacts will be significant and absolutely no substantiation that the mitigation measures will have any impact.

RJ-30

The EIR does not provide substantiation that the mitigation measures will mitigate the potential impacts identified. The EIR merely asserts that the mitigation measures are adequate. There is no attempt to discuss how the proposed mitigation measures will reduce the potential impacts. Had such substantiation been attempted, the authors would have noted that the impacts are still significant according to the criteria of significance below:

Bullets 1 and 2 page 4.9-7.

The mitigation measures proposed are speculative in nature in that they are only General Plan Policies and will not necessarily be implemented. Additionally, many of these policies are couched in terms of "encouraging" and thus do not meet the Sundstrom test of certainty. The rule of law established in Sundstrom v The County of Mendocino was that because the success of

mitigation measures was uncertain, the agency could not have reasonably determined that significant effects would not occur.

The DEIR falls short of this burden of proof. THE IMPACTS THEREFORE REMAIN SIGNIFICANT IMPACTS.

4.10 Noise:

The EIR does not provide substantiation that the mitigation measures will mitigate the potential impacts identified. The EIR merely asserts that the mitigation measures are adequate. There is no attempt to discuss how the proposed mitigation measures will reduce the potential impacts. Had such substantiation been attempted, the authors would have noted that the impacts are still significant according to the criteria of significance below:

Bullets 1 and 3 page 4.10-6

RJ-31

An increase of 3 DBA in residential areas was considered to be significant. In spite of mitigation, the analysis shows that every intersection evaluated exceeded the standard of 3 DBA change.

The mitigation measures proposed are speculative in nature in that they are only General Plan Policies and will not necessarily be implemented. Additionally, many of these policies are couched in terms of "encouraging" and thus do not meet the Sundstrom test of certainty. The rule of law established in Sundstrom v The County of Mendocino was that because the success of mitigation measures was uncertain, the agency could not have reasonably determined that significant effects would not occur.

The DEIR falls short of this burden of proof. THE IMPACTS THEREFORE REMAIN SIGNIFICANT IMPACTS.

4.11- Health and Safety

The EIR does not provide substantiation that the mitigation measures will mitigate the potential impacts identified. The EIR merely asserts that the mitigation measures are adequate. There is no attempt to discuss how the proposed mitigation measures will reduce the potential impacts. Had such substantiation been attempted, the authors would have noted that the impacts are still significant according to the criteria of significance below:

Bullets 2 and 3 page 4.11-6

RJ-32

The substantial increase in the number of residential units in steep slope areas of natural vegetation will be a clearly significant impact. If the development will replace native vegetation with exotic species is the mitigation then that will

clearly result in a significant impact to biotic resources.

The mitigation measures proposed are speculative in nature in that they are only General Plan Policies and will not necessarily be implemented. Additionally, many of these policies are couched in terms of "encouraging" and thus do not meet the Sundstrom test of certainty. The rule of law established in Sundstrom v The County of Mendocino was that because the success of mitigation measures was uncertain, the agency could not have reasonably determined that significant effects would not occur.

The DEIR falls short of this burden of proof. THE IMPACTS THEREFORE REMAIN SIGNIFICANT IMPACTS.

4.12 Aesthetics/views

The EIR does not provide substantiation that the mitigation measures will mitigate the potential impacts identified. The EIR merely asserts that the mitigation measures are adequate. There is no attempt to discuss how the proposed mitigation measures will reduce the potential impacts. Had such substantiation been attempted, the authors would have noted that the impacts are still significant according to the criteria of significance below:

Bullets 1,2,3,4 and 6 page 4.12-12

Proposed development of the Antelope Hills at 2 units per acre will clearly result in the loss of the existing visual character of the area.

AB2583 requires that "the lead agencies determination of whether a project may have a significant effect on the environment be based on substantial evidence in the record". While there is substantial evidence with regard to the impacts there is no substantiation that the proposed mitigation measures will reduce the impacts.

The mitigation measures proposed are speculative in nature in that they are only General Plan Policies and will not necessarily be implemented. Additionally, many of these policies are couched in terms of "encouraging" and thus do not meet the Sundstrom test of certainty. The rule of law established in Sundstrom v The County of Mendocino was that because the success of mitigation measures was uncertain, the agency could not have reasonably determined that significant effects would not occur.

The DEIR falls short of this burden of proof. THE IMPACTS THEREFORE REMAIN SIGNIFICANT IMPACTS.

4.14 Cultural Resources:

The impacts associated with the tremendous growth of population and associated major streets were not adequately identified and

discussed. There is no discussion of the impact of a six lane Washington avenue on the historic structures in Historic Murrieta. It did not evaluate the visual impact of the incongruity of this six lane monster in the quaint rural atmosphere. Perhaps that was because of the fact that the construction of the proposed road would destroy all the historic buildings and therefore there would be no conflict. This was not discussed either. There was no discussion of potential impacts to the 72 structures of historic significance.

AB2583 requires that "the lead agencies determination of whether a project may have a significant effect on the environment be based on substantial evidence in the record". There is no such evidence in the record.

RJ-34

The EIR does not provide substantiation that the mitigation measures will mitigate the potential impacts identified. The EIR merely asserts that the mitigation measures are adequate. There is no attempt to discuss how the proposed mitigation measures will reduce the potential impacts. Had such substantiation been attempted, the authors would have noted that the impacts are still significant according to the criteria of significance below:

Bullets 1 and 3 pages 4.14-3 and 4

The mitigation measures proposed are speculative in nature in that they are only General Plan Policies and will not necessarily be implemented. Additionally, many of these policies are couched in terms of "encouraging" and thus do not meet the Sundstrom test of certainty. The rule of law established in Sundstrom v The County of Mendocino was that because the success of mitigation measures was uncertain, the agency could not have reasonably determined that significant effects would not occur.

The DEIR falls short of this burden of proof. THE IMPACTS THEREFORE REMAIN SIGNIFICANT IMPACTS.

Section 5: CEQA Considerations:

5.1 Growth Inducing:

RJ-35

Page 5-2 makes the assertion that the proposed development is not substantially greater than the levels allowed under SWAP. This flies in the face of the fact that the population will exceed SWAP by 34-50%. Does it have to become 500% greater or 5,000% greater to be considered significant. If the author of the report were to receive a raise of 10% I'm certain he would consider that to be significant. Why not the 34-50% increase. THIS PROJECT IS CLEARLY GROWTH INDUCING.

5.2 Short Term Uses

The conversion of over 10,000 acres of habitat for rare and

RJ-36

endangered species to urban uses is clearly a short term use which forecloses the possibilities for long term productivity. Once the conversion has occurred, there is no going back. The options have been foreclosed at that point. THIS RESULTS IN A SIGNIFICANT IMPACT.

5.3 Cumulative Impacts:

The project will have significant cumulative impacts if:

The project has possible environmental effects which are individually limited but cumulatively considerable. As used in the subsection, 'cumulatively considerable' means that the incremental effects of an individual project are considerable when viewed in connections with the effects of past projects, the effects of other current projects and the effects of probable future projects.

RJ-37

The discussion of Cumulative impacts treats this project as if it were in a vacuum. It does not recognize the current growth in the City of Temecula, Lake Elsinore or the communities of Wildomar and Menifee. These projects when combined with the City of Murrieta will result in an increase in population of over one half million people. This fact was not even mentioned let alone considered in the analysis. CUMULATIVE IMPACTS FROM WILL RESULT IN SIGNIFICANT IMPACTS TO: TRAFFIC AND CIRCULATION, AIR QUALITY, BIOLOGICAL RESOURCES, PUBLIC FACILITIES, NOISE, HOUSING/POPULATION, LAND USE, AESTHETICS, CULTURAL RESOURCES AND WATER QUALITY AT A MINIMUM.

Section 6: Alternatives:

RJ-38

The alternatives presented did not provide a reasonable range of alternatives. Alternatives should have been considered which reduced impacts to population, land use, circulation, biological resources, cultural resources etc. The consideration of an alternative with a population in the range of 90,000-100,000 people, restricting development on steep hillsides and protecting habitat areas for rare and endangered species would have provided significant reductions to the impacts identified in the project.

The discussions of the relative impacts are cursory at best with no substantiation of the relative impacts. Once again an increase of 34 % in population was not considered to be significantly different.

GENERAL COMMENTS:

The thought that an EIR for a project of this magnitude would find that there is only one project specific significant impact, conversion of vacant and agricultural lands to suburban uses, and one cumulative impact, impact to biological resources, would be laughable if the consequences were not so dire. This document appears to directly contradict the intent of CEQA.

There are clearly additional mitigation measures available or alternatives available, or which could be structured, which could further reduce these impacts.

The CEQA Guidelines, in section 15021 require:

(a) CEQA establishes a duty for public agencies to avoid or minimize environmental damage where feasible.

(1) In regulation public or private activities, agencies are required to give major consideration to preventing environmental damage.

(2) A public agency should not approve a project as proposed if there are feasible alternatives or mitigation measures available that would substantially lessen any significant effects that the project would have on the environment.

(b) In deciding whether changes in a project are feasible, an agency may consider specific economic, environmental, legal, social and technological factors.

(c) The duty to prevent or minimize environmental damage is implemented through the findings required by Section 15091.

(d) CEQA recognizes that in determining whether and how a project should be approved, a public agency has an obligation to balance a variety of public objectives, including economic, environmental, and social factors and in particular the goal of providing a decent home and satisfying living environment for every Californian. An agency shall prepare a statement of overriding considerations as described in Section 15093 to reflect the ultimate balancing of competing public objectives when the agency decides to approve a project that will cause one or more significant effects on the environment.

The DEIR does not meet the requirements of CEQA.

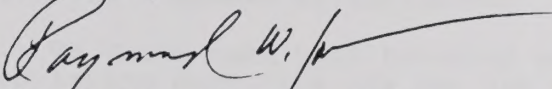
The rule of law established in *Sundstrom v The County of Mendocino* was that because the success of mitigation measures was uncertain, the agency could not have reasonably determined that significant effects would not occur. The mitigation measures proposed do not pass the test of *Sundstrom*, of being of sufficient detail to insure that they will be effective in mitigating the potential impacts of the project.

Throughout the document there is inadequate discussion of the potential impacts of the proposed project. In addition, there is no substantiation, or even attempt at it, that the measures proposed will result in adequately mitigating potential impacts. AB2583 requires that "the lead agencies determination of whether a project may have a significant effect on the environment be

based on substantial evidence in the record". There is no such substantial evidence in the record. AB2583 further makes the legislative declaration that noncompliance with CEQA may constitute prejudicial abuse of discretion. There seems to be substantial evidence that this is the case.

A supplemental EIR should be prepared to correct the inadequacies of this document. The document, as it now stands, is clearly not legally defensible.

Sincerely,

A handwritten signature in cursive script, appearing to read "Raymond W. Johnson", with a long horizontal flourish extending to the right.

Raymond W. Johnson, AICP
Union for a River Greenbelt Environment.
41687 Cayente Ct.
Murrieta, CA 92562

LETTER #20

MURRIETA HIGHLANDS

January 25, 1994

Fred Buss
City of Murrieta
26442 Beckman Court
Murrieta, Calif. 92562

RE: E.I.R. Comments

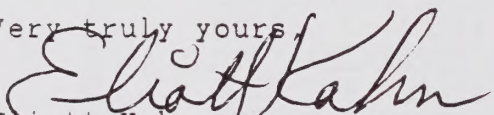
Dear Fred:

In reviewing the E.I.R. document I noticed that the Project Description and the Project Location map, in the Appendix, do not reflect the Sphere of Influence per the latest N.O.P.. Could you please make sure that this is corrected before public circulation?

EK-1

Thank you, in advance, for your attention to this matter!

Very truly yours,


Elliott Kahn

LETTER #22

1/24/94

To: Murrieta General Plan Committee and City Council
Re: Murrieta General Plan
From: Steve Mitchell and Katharine Gring
33520 Mona Lane
Winchester, CA 92521

Steve Mitchell
Katharine Gring

After reviewing the plan, we have the following comments and would appreciate your response to them. Our comments apply specifically to the county area in which we live, currently in Murrieta's sphere of influence.

1.) We think that your targeted population ceiling and associated population densities are way too high and need to be reduced by half or more in order to preserve Murrieta's quality of life, beauty and, most importantly, the effectiveness of city services per capita. Your current population target would destroy what drew us to Murrieta originally. Coming from Moreno Valley we can assure you that BIG DREAM, high-density population planning is improper for Murrieta and would undoubtedly bring with it the problems Moreno Valley experienced with such an approach (poor city services; inadequate, overcrowded schools; heavy traffic congestion and crime). Especially in these times of economic uncertainty (e.g., a continuing 4 year recession, the phasing out of March AFB, the closure of many local retail businesses...), we would think that you would be planning much more conservatively than you seem to be. Recommendation: A.) REDUCE THE PLANNED POPULATION TARGET BY HALF OR MORE FOR THE PERIOD COVERED.

M&G-1

2.) An immediate example of the current plan's short sightedness in relation to service provision and quality of life issues is evident in the lack of park and open space planned. Open space needs to be retained throughout northern Murrieta. Because the large agricultural tracts in this area currently fulfill this need, they need to be preserved. You should be aware as well that Riverside County is in the top ten counties statewide in terms of value of production (worth over a billion dollars a year). Successful enterprises like Riverside agriculture should be encouraged not planned out of existence. Recommendations: A.) PLAN FOR MUCH GREATER PARK SPACE. B.) PLAN FOR PARK SPACE THAT IS CITY-WIDE IN NATURE AND NOT TIED TO SPECIFIC HOUSING TRACTS. C.) PLAN FOR MUCH GREATER OPEN SPACE AND DO THIS BY PRESERVING IF NOT ENCOURAGING AGRICULTURE IN THE CITY.

3.) An important and alarming gap in the current plan is the fact that much of the planned tract/higher density residential development falls within, if not in the middle of, the Warm Springs Creek drainage. This in fact will soon be, upon its completion, the flood plain for the huge Domenigoni Reservoir. The possibility of an earthquake ruptured dam and resultant flood in this drainage is NOT REMOTE as recent events in Northridge have shown. Recommendation: A.) AN EIS SHOULD BE CONDUCTED FOCUSING ON THE EFFECTS OF DOMENIGONI DAM FAILURE ON RESIDENTIAL DEVELOPMENT PLANNED FOR THE WARM SPRINGS CREEK DRAINAGE. B.) THE POSSIBILITY OF SUCH A DISASTER MEANS THAT HOUSING SHOULD PROBABLY NOT BE LOCATED CLOSE TO THE CREEK AND THAT RESIDENTIAL DENSITIES BE SERIOUSLY REDUCED IN THIS DRAINAGE. C.) THE WISEST USE OF THE AREA ADJACENT TO EITHER SIDE OF THE CREEK BED FOR SEVERAL HUNDRED

M&G-2

YARDS, THEREFORE, MIGHT BE AS A PARK/GREENBELT AND WE WOULD APPRECIATE YOU EXAMINING THIS POSSIBILITY IN DETAIL.

4.) Most of us currently, in what would become northern Murrieta, are dependent on our own wells. The proposed housing tracts in the area would rapidly deplete our localized, low-yield aquifers and adversely impact most current residents in this area.

Recommendation: A.) CONDUCT AN EIS ON THE EFFECTS WHICH THE PLANNED DEVELOPMENTS WILL HAVE ON WELL WATER SUPPLIES UTILIZED BY CURRENT RESIDENTS. B.) IF THESE EFFECTS ARE NEGATIVE, AS IS PROBABLE, THEN DEVELOP A PLAN FOR FULLY RECOMPENSING CURRENT RESIDENTS FOR LOST OR DIMINISHED WATER SUPPLIES.

Thank you for your interest and attention.

M&G-3

Ruth Planey
25205 Via Las Lomas • Murrieta • CA 92562
(909) 677-4472

January 25, 1994

City of Murrieta
26442 Beckman Court
Murrieta, CA 92562

Attn: Fred Buss

Regarding: EIR for the General Plan for Murrieta

There are certain goals and policies in Murrieta's General Plan that will impact the City's resources in a significant manner. After reading the EIR, I don't see how significant impacts such as these can be mitigated to less than significant. Therefore, the goals and policies should be changed. There are better ways to carry out the objectives of the Vision Statement and accomplish what we want with less impact on the environment.

Some of the resources in danger, but not limited to, are: Open Space, Soil, Water, Air, Historic and Archaeological, Biological, Agriculture and Scenic.

• The General Plan does not give the residents what they asked for during the five beginning workshops. They said, "Keep the rural." The Plan gives them tract homes and commercial and industrial acreage to last a hundred years. It virtually wipes the rural off the map. Almost two years later, the desires and needs of the community have not changed. The sentiment is still the same - "Keep the rural." The current Preferred Land Use Map, does not reflect the wishes of the community at large. Instead it suits a small number of people looking for financial gain. Most of them plan to leave Murrieta and go someplace else with that money, leaving 99% of the residents to pick up the pieces and deal with a plan they did not want in the first place. The Plan mentions the importance of agriculture to the history and the current atmosphere of Murrieta yet there is not an agricultural land designation. This is inconsistent. This is just one example of how the plan says one thing and then does another.

Resources effected: All of the above.

Solution: Lower the density to 60,000-100,000. Create a separate agriculture land use designation. Require on-site water recharge. Limit Washington to 4 lanes, or just 3 lanes if made a one-way street. Prohibit development on slopes over 25%.

• The General Plan does not support its own Vision Statement. If you want Murrieta to be all tract homes and strip centers, just say so and rewrite the Vision Statement. The language in the Plan is not strong enough or precise enough to carry out the well meaning goals which were meant to bring the Vision Statement to fruition. As a result, Murrieta will develop into another run of the mill, piece of Southern California sprawl with no character or distinction of its own. It will become another city that residents and businesses flee from in search of a better quality of life for themselves and their work force.

RP-1

Resources effected: All of the above.

Solution: Lower the density to 60,000-100,000. Prohibit development on slopes over 25%. Limit Washington to 4 lanes, and only 3 lanes if a one-way street. Treed medians on all streets 4 lanes and more. Sidewalks, trails and bike paths separated from the roadway. Require 50% of the roofs in commercial and industrial developments to be pitched rather than flat. Treed medians on all roads 4 lanes or more. Use parkways and meandering sidewalks to for interest and character. Require the use of natural looking materials, such as rock or wood, for bridges, signs, culverts, walls, etc. rather than plain concrete.

- I am completely baffled by the Circulation Element which gives its blessing to a traffic plan with 33 road segments operating at the "unsatisfactory" Level of D, E, or F - and that's after everything has been widened, dual left-hand turn lanes and right-hand deceleration lanes have been installed. If this is the best the citizens can expect, even after all the improvements, then something is wrong with this picture - such as the Land Use map. It needs to change. The road system can not efficiently handle that much traffic. Too much land, 20%, is taken up with streets, freeways and ROW. This is too high. Should be under 10%. (See EIR page 4.8-1, 4.8-18, 4.8-19 and Figure 4.8-5 for detailed information)

Resources effected: Air Quality, Historical and Archaeological.

Solution: Lower the density to 60,000-100,000. Locate commercial and industrial areas near freeway interchanges for visibility and convenience. Extend and utilize Madison, Monroe and Whitewood to carry more of the traffic. Need to provide adequate infrastructure so we don't end up with problems such as Jefferson & Winchester in Temecula. Why weren't the freeway overpasses built wider to begin with? Now we, in some form or another, have to pay to do them over again. From day one, the infrastructure and public facilities should be built to handle the maximum buildout population.

- Allowing development on slopes over 25% is not in keeping with the Vision Statement and according to the EIR is not sanctioned by most cities. The State Division of Mines and Geology limits development at 30% slope. Why does the General Plan allow it and how does the EIR justify its explanation that such development would be less than significant? Such grading will increase erosion, sedimentation, and flooding and it will decrease the amount of natural ground water recharge.

(See EIR page 4.2-12 for more details)

Resources effected: Soil, Water, Biological, Scenic, Open Space.

Solution: Limit development to slopes of less than 25%.

- Even with implementation of various mitigation measures, impacts associated with the loss of open space and agricultural land will remain "significant and unavoidable." Why? If development is approached in a different and creative way we will reduce the negative impacts on Murrieta. (See EIR page 4.1-15)

Resources effected: All of the above.

Solution: Decrease land use density in all areas. Prohibit development on slopes over 25% slope. Allow clustering of development so there is the ability to create large areas of open space that can be enjoyed both passively and actively. Plan for the next 10-30 years, not the next 100. Who knows what life will be like in the year 2094? A decade from now, the needs of the city might be different. Allow the flexibility to react to and meet those needs. Do not preordain, a mega-city of

145,000-199,000 if there isn't the need. There's no need to cram people onto tiny
5,000-7,200 square foot lots, if you don't have to.

Craig Haney

1. INTRODUCTION

1. INTRODUCTION

This document is the second of two volumes, which together constitute the Final Environmental Impact Report (EIR) for the City of Murrieta General Plan. The first volume consists of the Draft EIR and Technical Appendices. The Draft EIR includes; a description of the proposed project and existing environmental conditions, an assessment of the potential impacts associated with implementation of the project, mitigation measures proposed to avoid or reduce significant impacts, and an analysis of alternatives to the project. The Draft EIR was distributed to the public and interested public agencies for review and comment from December 20, 1993 to February 2, 1994, 23 letters from public agencies, local interest groups and citizens commenting on the document were received. Copies of all written comments on the Draft EIR are contained in Chapter 4 of this volume.

This document, the Final EIR, supplements the Draft EIR with the addition of written comments received during the public review period and with responses to the comments. The Final EIR refines the Draft EIR by making changes to the document based on information and issues brought forth during the public review period. Changes to the Draft EIR are summarized in Chapter 5. The Final EIR also provides an environmental impact analysis of the Final General Plan as presented to the City Council for approval. The Final General Plan refines the Draft General Plan based on citizen input that was received during a series of meetings conducted following public review of the Draft General Plan. Because the Final General Plan substantially reduces development densities and population, impacts as a whole are reduced when compared to the Draft General Plan. Although overall, impacts are reduced, the environmental impact analysis provided in Chapter 6 focuses on verifying that the changes made to the Draft General Plan will not result in any new substantial environmental impacts.

An EIR is an informational document intended to inform decision-makers and the general public of the potential significant environmental impacts of a project. An EIR also identifies possible ways to minimize the significant impacts (referred to as mitigation) and describes reasonable alternatives to the project. The public agency with authority to approve or deny the project (the City of Murrieta) will consider the information in the EIR along with other information before making a decision on the project. The findings and conclusions of the EIR regarding environmental impacts do not control the agency's discretion to approve, deny, or modify the project, but instead are presented as information intended to aid the decision-making process.

1. Introduction

1.1 AUTHORIZATION

This EIR has been prepared for the City of Murrieta in accordance with the Guidelines for the Implementation of the California Environmental Quality Act of 1970 (Sections 15000-15387 of the California Administrative Code). The Guidelines stipulate that an EIR must be prepared for any project that may have a significant impact on the environment. The proposal under consideration is a "project" as defined by Section 15378 of the Guidelines. Upon initial environmental review of the project, the City determined that the project may have a significant adverse impact on the environment and, therefore, the preparation of an EIR was required.

1.2 LEAD AND RESPONSIBLE AGENCIES

The California Environmental Quality Act (referred to herein as "CEQA") defines a "lead agency" as the public agency which has the principle responsibility for carrying out or approving a project which may have a significant effect upon the environment. There can only be one lead agency for a project. Other agencies which also have some authority or responsibility for carrying out or approving a project are designated as "responsible agencies". Both the lead agency and responsible agencies must consider the information contained in the EIR prior to acting upon or approving the project.

The City of Murrieta is the lead agency for this project. At this time, no responsible agencies have been identified for the project.

1.3 PROJECT PROPONENT

Because the proposed General Plan is a public policy document of the City, the City of Murrieta is the proponent for this project. Therefore, the City of Murrieta is both the proponent and the lead agency for this project. Comments or questions regarding the project should be directed to the following address:

City of Murrieta
Planning Department
26442 Beckman Court
Murrieta, CA 92526

1.4 THE EIR PROCESS

When a public agency determines that there is substantial evidence that a project may have a significant effect on the environment, the agency must prepare an EIR before a decision is made to approve or deny the project. The purpose of the EIR is to fully disclose a project's impacts and recommend measures to reduce or avoid significant impacts. The basic content of an EIR includes a description of the project and its objectives, a description of existing conditions at the project site or in the project area, a discussion of the potential significant effects of the project, recommended measures for reducing impacts, and an evaluation of feasible alternatives to the proposed project.

An EIR consists of two documents: a Draft EIR, which is circulated for review by the public and affected governmental agencies, and a Final EIR, which consists of responses to comments received on the Draft EIR, as well as any necessary modifications to the Draft EIR. After the Draft EIR has been circulated for review and the Final EIR has been prepared, the EIR must be considered and approved by the agency's decision-making body before any action can be taken on the project.

The decision to prepare an EIR is usually triggered by the completion of an Initial Study for the proposed project. When a public agency receives a complete project application or decides to undertake a project of its own, it first determines if the project is subject to environmental review under CEQA and, if it is, the agency staff then typically prepares an Initial Study to determine if the project has the potential to cause significant environmental effects. The Initial Study serves as a tool to help the agency determine if an EIR is needed and also helps determine what issues should be examined in the EIR. An agency can skip the Initial Study process if it already knows that an EIR will be required.

The EIR process is initiated by the distribution of a Notice of Preparation (NOP). The NOP is sent to other agencies to solicit their suggestions for appropriate issues and types of analysis to be included in the Draft EIR. When preparation of the Draft EIR has been completed, it is circulated to responsible agencies, other affected or interested agencies, and interested members of the public for review and comment. It is also commonly available in the local public library. The review period for a Draft EIR is 45 days. All comments and concerns regarding the Draft EIR must be received by the lead agency during this 45-day period in order to be considered in the Final EIR.

Responses to comments received on the Draft EIR are prepared by the lead agency and included in the Final EIR. The Final EIR may also contain some additional information about the project's potential impacts and minor corrections or modifications to the Draft EIR. The Final EIR must be certified (approved) by the lead agency's decision-making body (sometimes this responsibility is delegated to a commission) before any action is taken to approve or deny the proposed project. Typically, certification of the EIR and deliberation on the project occur at the same hearing, and public notice of these actions are usually advertised together.

CEQA only requires that the EIR address significant adverse impacts. The CEQA Guidelines do not establish thresholds or standards which define the significance of various types of impacts. The determination of the significance of impacts is left to the discretion of the lead agency. The CEQA Guidelines do state that the significance of impacts should be considered in relation to their severity and probability of occurrence. Also, the identification of significant impacts in the EIR does not prevent an agency from approving the project. The project may be approved if the lead agency determines that there is no feasible method of mitigating significant impacts or if the agency determines that there are important overriding considerations, such as social and economic benefits, which are sufficient to justify approval of the project.

1. Introduction

1.5 A PROGRAM EIR

The California Environmental Quality Act defines the adoption or amendment of a General Plan as a project which requires environmental review. As a result of such review, if any aspect of the proposed General Plan is determined to have the potential to cause significant impacts to the environment, then an EIR must be prepared. The CEQA Guidelines recognize that an EIR for a General Plan will not be as specific as an EIR for a development proposal or site-specific project. Therefore, the CEQA Guidelines define a type of EIR known as a *program EIR* as suitable for a project such as a General Plan.

A program EIR is prepared for a series of related actions that can be characterized as one large project, such as a General Plan, master plan, or regulatory program. As a practical matter, projects suitable for a program EIR generally have at least two of the following features:

- An implementation schedule of longer than two years;
- General parameters or conditions which will be applied to future activities such as site-specific development proposals; and
- A requirement for subsequent agency discretionary approvals for future development projects or regulations.

Program EIRs contain less detail than typical development project EIRs because the level of detail in the impact analysis can only reflect the level of detail in the program description itself. Section 15146(a) of the CEQA Guidelines states: "The degree of specificity required in the EIR will correspond to the degree of specificity involved in the underlying activity which is described in the EIR".

One of the advantages of the use of a program EIR is that it allows the lead agency to consider broad policy alternatives and city-wide mitigation measures before important policy decisions have been made. It also ensures consideration of cumulative impacts that could otherwise be slighted in project-by-project analysis. Program EIRs also avoid the need for unnecessary reconsideration of basic policy matters in future EIRs and provides a level of environmental analysis on certain issues that does not need to be repeated in the future in EIRs for development projects or other individual actions.

1.6 FOCUS OF ANALYSIS

The City has determined that the proposed project has the potential to cause certain types of significant impacts and, therefore, the analysis in the Draft EIR focused on the following topics:

- Land use
- Population, employment, and housing
- Transportation and circulation

- Noise
- Geology
- Hydrology and water quality
- Air quality
- Biological resources
- Utilities
- Public services
- Aesthetic/visual impacts
- Cultural resources

1.7 EIR CONTENT AND FORMAT

This report is divided into five chapters: Introduction, Summary of Environmental Impacts and Mitigation Measures, Project Description, Comments and Responses, and Summary of Changes to the Draft EIR. Each of these sections has its own purpose and serves to aid the reader in fully understanding the project and its implications. A description of each section follows.

The Introduction notes the purposes and content of the Final EIR, the environmental process, and how to use the report.

The Summary of Environmental Impacts and Mitigation Measures chapter lists in the form of a Summary Table all of the potential impacts of the project and the proposed mitigation measures that would reduce or eliminate such impacts. The level of significance of each impact, with and without mitigation, is identified. This section has been revised and updated from the Summary Chapter presented in the Draft EIR to reflect changes to mitigation measures that resulted from the public review process. **Bold** indicates new or revised text. Overstrike ~~overstrike~~ indicates text that has been deleted.

The Project Description chapter presents a statement of objectives, the project location, project characteristics, and other relevant information. The section focuses on the physical characteristics of the proposed project, and is provided to aid the reader in understanding the project and relevant comments and responses.

The Comments and Responses chapter includes a list of all agencies and individuals who submitted written comments during the public review period for the Draft EIR, a reproduction of each letter received during the public review period, and responses to each comment on the Draft EIR. Comments were received from State agencies, local government agencies, and other concerned individuals to solicit public input on the Draft EIR. Changes to the Draft EIR that have been made in responding to comments are shown in bold and strike-out.

1. Introduction

The Summary of Changes to the Draft EIR chapter includes changes to the EIR that have been made in order to correct factual information and refine the environmental analysis. The majority of modifications are based on the written comments received during the public review period for the Draft EIR.

The Analysis of the Final General Plan chapter addresses the potential for new significant impacts due to refinements proposed as a result of public input on the Draft General Plan. The analysis compares the impact of buildout of the Draft General Plan with the impact of buildout under the proposed Final General Plan that is presented in the Chapter. It should be clarified that all of the mitigation measures proposed in Chapter 3 apply to the Final General Plan.

2. PROJECT DESCRIPTION

2. PROJECT DESCRIPTION

2.1 PROJECT LOCATION

The City of Murrieta, incorporated July 1, 1991, encompasses approximately 26.5 square miles in the southwest portion of Riverside County. The City is bordered by the City of Temecula to the south, the unincorporated community of Wildomar to the north, and areas of unincorporated Riverside County to the east and west. The City is approximately 80 miles southeast of Los Angeles; 65 miles north of San Diego; and 45 miles south of the City of Riverside. The Riverside/San Diego County boundary lies 6.5 miles to the south of the City. Interstate 15 (I-15) and Interstate 215 (I-215) pass through the City and converge near its southern boundary. The Murrieta General Plan study area includes both the City of Murrieta, and its sphere of influence. The sphere of influence is 11,657 acres in size and is bordered by the City of Murrieta to the west, the City of Temecula and State Route 79 to the south and east, and Scott Road and the unincorporated community of Menifee Valley to the north. The location of the study area in the region is shown on Figure 2-1, and the boundaries of the study area are shown on Figure 2-2.

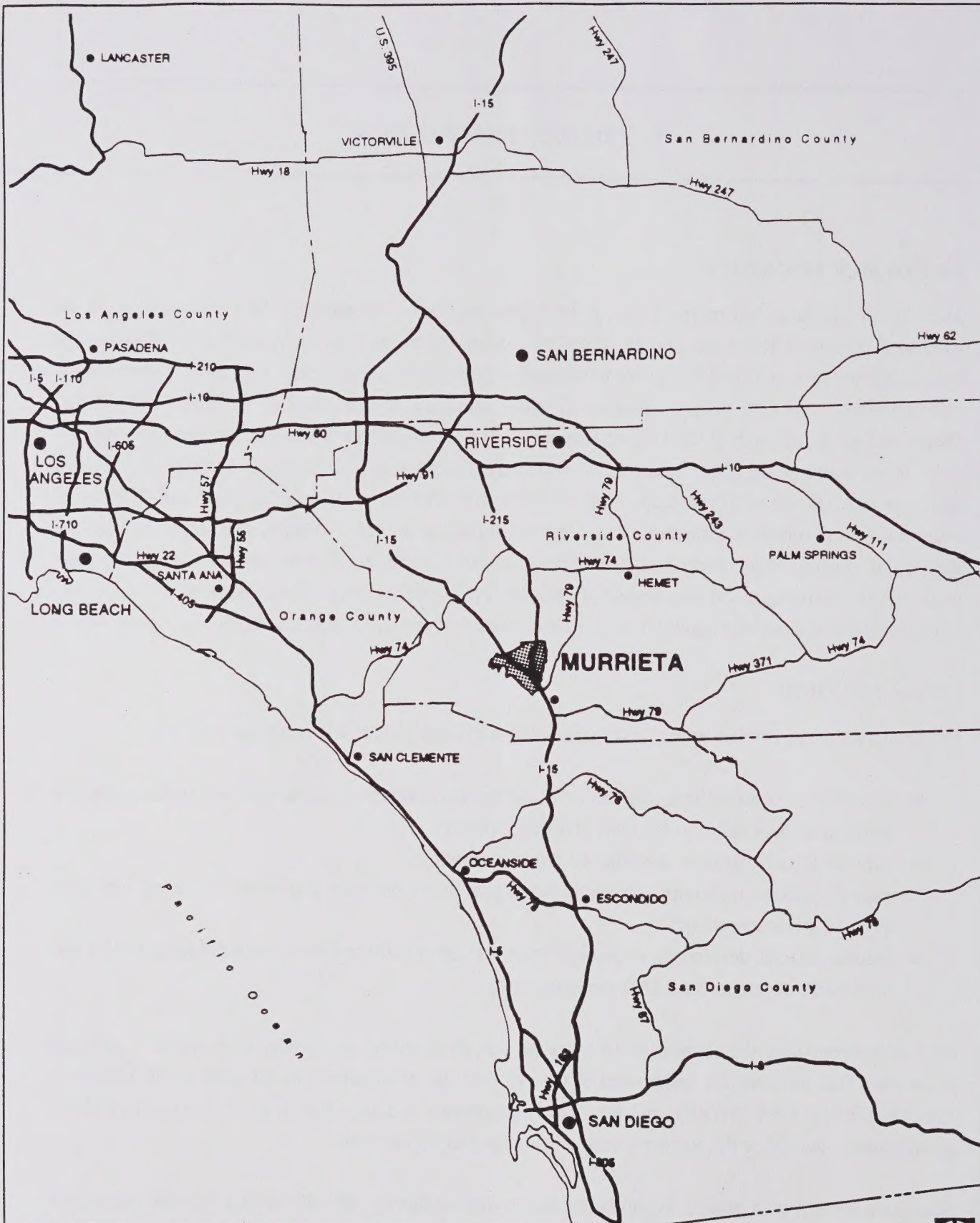
2.2 BACKGROUND

Preparing, adopting, implementing, and maintaining a general plan is a process that serves to:

- identify the community's land use, circulation, environmental, economic, and social goals and policies as they relate to land use and development;
- provide a basis for local government decision making;
- provide citizens with opportunities to participate in the planning and decision making processes of local government; and
- inform citizens, developers, decision makers, and other cities and counties of the ground rules that will guide development within the community.

Prior to incorporation, the community of Murrieta was governed by the County of Riverside's planning processes. This included the assignment of County land use designations, as set forth in the Southwest Area Community Plan (SWAP), and the County processing and approval of local development plans, specific plans, and other development and land use permit applications.

Murrieta's general plan process began before incorporation through the efforts of a citizens' committee which drafted a preliminary set of goals for the future plan. After incorporation, a 16-member General Plan Advisory Committee (GPAC) was selected by the City Council to guide the preparation of the first Murrieta General Plan. Members of the GPAC represented the City Council, Planning



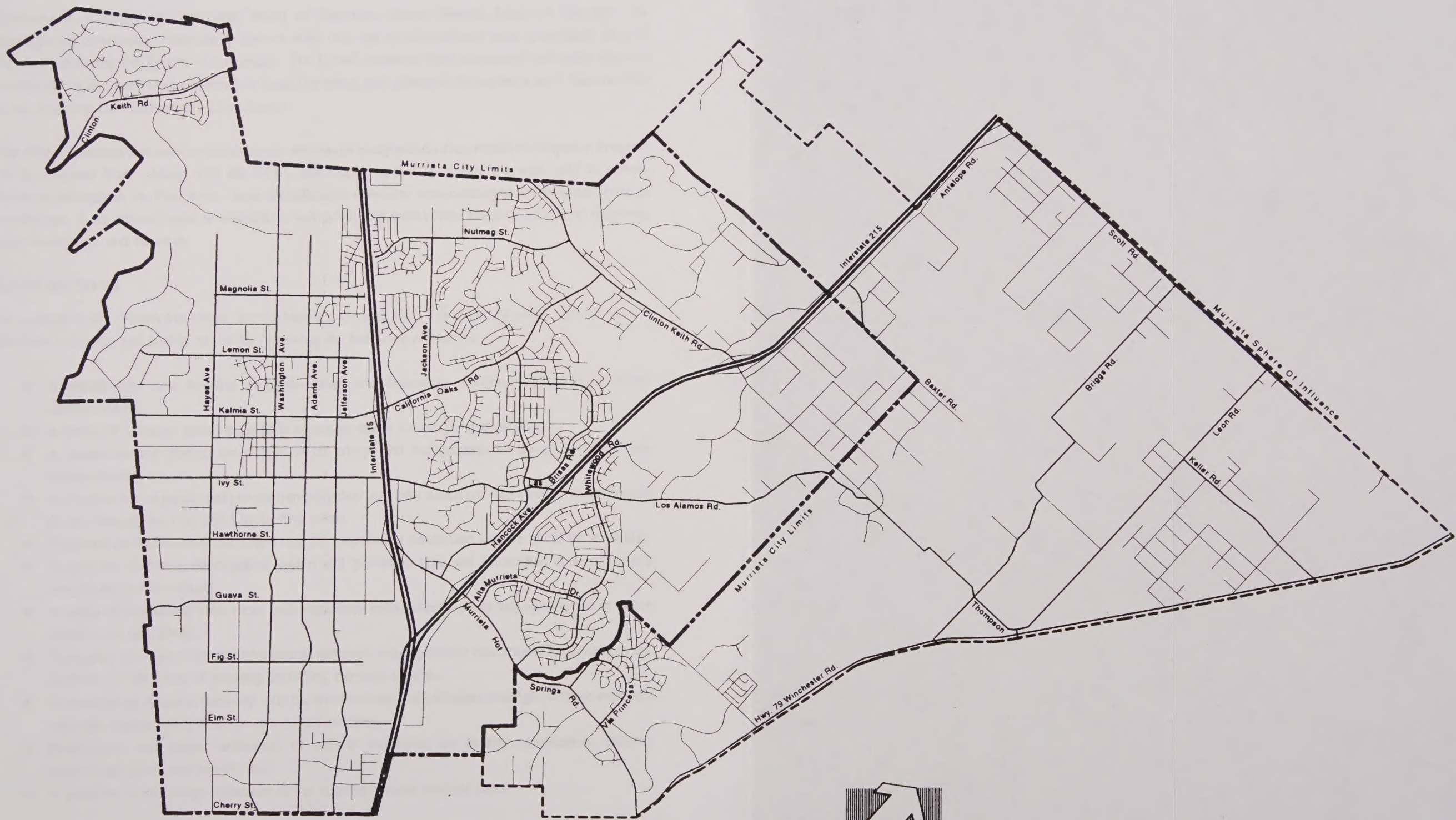
CITY OF MURRIETA

ENVIRONMENTAL IMPACT REPORT



Location Map

FIGURE 2-1



CITY OF MURRIETA
 ENVIRONMENTAL IMPACT REPORT

Murrieta Study Area

FIGURE 2-2

Commission, Chamber of Commerce Board of Directors, School District Board of Directors, the development community, Community Service Area 143, and resident citizens from geographic areas of the City (including the Sphere of Influence). The GPAC reviewed draft documents, provided direction to consultants and staff, shaped alternative Land Use plans, and ultimately forwarded a draft General Plan to the Planning Commission and City Council.

The GPAC meetings and member involvement were major components of the Public Participation Program for the General Plan. Along with the GPAC meetings, community workshops were held in various locations throughout the Plan Area. Issue identification exercises were conducted at the initial series of workshops. Area citizens were in attendance, and public comments were taken at all GPAC meetings, joint workshops, and hearings.

2.3 OBJECTIVES

As outlined in the "Vision Statement" for the Murrieta General Plan, it is the intent of the City to develop Murrieta's identity and quality of life by achieving the following objectives:

- Balanced jobs and housing programs with complementary environmental and economic considerations;
- A series of agencies whose purpose is to ensure safety for people and property;
- A comprehensive plan to use people of all groups and backgrounds for on-going community enhancement;
- A combination of public and private transportation networks which provide a means of circulation in and through the City and surrounding areas;
- Emphasis on maintaining and improving the community health and welfare of all its residents;
- A plan for economic development which will provide a vital and diversified economy and a coordinated infrastructure;
- A series of identifiable land areas, buildings, community events, parks and open space in which citizens can take pride;
- A program in conjunction with educational agencies, which provides educational opportunities and facilities for all levels of learning, including alternative forms;
- A vision of the future in harmony with the environment, and sufficient foresight of those entrusted with this responsibility to be proactive, not reactive;
- Preservation and proper utilization of natural resources: air quality, geothermal, climate, recreational areas, and people; and
- A program to encourage expansion of the existing diverse medical base.

2. Project Description

2.4 SUMMARY OF THE GENERAL PLAN

Although there are hundreds of policies and programs contained within the Murrieta General Plan, the foundation of the plan is set out in 43 specific goals established for each of the following eight elements that are contained in the Plan:

- | | |
|-------------------------------|------------------------|
| ■ Land Use | ■ Safety |
| ■ Housing | ■ Noise |
| ■ Circulation | ■ Air Quality |
| ■ Conservation and Open Space | ■ Economic Development |

Issues for each of the Elements are identified and discussed in a set of Existing Conditions Reports, that serve as appendices to the General Plan. Each Element summarizes pertinent planning issues and contains a set of goals and objectives intended to address and resolve key issues. These elements are further augmented with specific policies and implementation actions. State Law mandates that each general plan element have equal stature, whereby no particular element is considered to supersede another element. Interdependency of the elements is assured because of this requirement.

The following description summarizes the goals of each General Plan Element. Implicit in these goals are objectives, policies, and implementation programs which are discussed in detail in the individual environmental issue sections. Impacts of the specific policy implementation actions are discussed in Chapter 4 of this EIR.

Land Use Element

The Land Use Element has an important role in determining land use and development decisions. Consisting of both text and map, this element defines the various land uses and designates their distribution, location, and extent throughout the City of Murrieta and the Sphere of Influence. It contains standards for residential density, as well as building intensity. Residential density is expressed in terms of dwelling units per acre. Building intensity is expressed in floor area ratios (FAR). FAR is the ratio between building floor area and total site area. The Land Use Element is broad in scope and has a strong relationship to every other General Plan Element.

Land Use designations define residential, commercial, industrial, civic, park, and open space lands. Land use designations were developed based on community desires and in response to the specific characteristics of the General Plan Area. These designations are shown on the Land Use Map. The Land Use Element is also concerned with community services and infrastructure, including the impacts of land use on flood control, sewer, and water systems. A section on regionalism discusses aspects of Murrieta's relationships to nearby communities and the surrounding geographic area. Seven goals express the City's intent concerning their most relevant land use issues. Each goal is further defined within the Element in terms of specific objectives and policies.

- Goal LU-1:** A balanced distribution and orderly growth of residential, commercial, industrial, recreational, civic and open space land uses.
- Goal LU-2:** Preservation of the community's rural/non-urban characteristics in appropriate locations in the Plan Area.
- Goal LU-3:** Orderly growth with public services and compatible surrounding land uses .
- Goal LU-4:** Identify, and plan for the preservation, development, or other special circumstance of areas of the Plan Area that are of unique environmental, historical, or economic concern.
- Goal LU-5:** Revitalize private and public lands in need of redevelopment or those that are underdeveloped due to lack of public facilities.

Land Use Designations

The following briefly describes the land use designations proposed in the Murrieta General Plan. The designations were developed based on community desires and in response to the specific characteristics of the Plan Area. A more detailed description of the designations and the land use plan and statistics for buildout under the plan are provided in Chapter 4, Section 4.1.

Equestrian Residential (0-0.4 du/ac)

The lowest density residential classification established for large lot single-family uses within a rural atmosphere. The minimum lot size is 2.5 acres. Horses and other livestock may be kept in conjunction with the primary residential use.

Rural Residential (0.4-2 du/ac)

Single-family residential land use classification for establishing large lot single-family areas. Minimum lot size is a 1/2 acre, unless within a Master Plan Overlay area (5,000 square foot minimum).

Single-Family 1 Residential (2.1-5 du/ac)

Single-family subdivisions, with a minimum lot size of 7,200 square feet. Target density is 3.5 du/ac. Cluster developments with minimum 5,000 square foot lots are possible within the Master Plan Overlay area.

2. Project Description

Single-Family 2 Residential (5.1-10 du/ac)

Small lot single-family detached homes and attached single-family units with common walls are allowed in this designation. Minimum lot size for single-family detached units is 5,000 square feet. Target densities are 8.0 du/ac for attached projects and 5.1 du/ac for detached projects.

Multi-Family 1 Residential (10.1-15 du/ac)

Low density multi-family units, stacked flats or townhouses with ample amounts of open space are allowed. Target density is 12.0 du/ac.

Multi-Family 2 Residential (15.1-20 du/ac)

High density designation intended for multi-family uses such as senior housing, congregate care, or group quarters are allowed in this designation. Target density for future sites is 16 du/ac.

Master Plan Overlay

This designation is for larger properties with unique characteristics or circumstances that require additional detail in planning residential development. The designation is an overlay to the base designation and provides for clustering of dwelling units within projects that are between 10 and 200 acres in size. The base designation will control the overall gross density of the site. The approval of a Specific Plan, consistent with Government Code Section 65450, is required for projects exceeding 200 acres in size. Minimum lot size is 5,000 square feet for cluster developments and the gross base density cannot be exceeded.

Regional Commercial

Regional commercial centers, with department stores or other major tenants as anchors, are provided for in this designation. Professional office uses, are included. Floor Area Ratios (FAR) for regional centers are 0.25 or greater. Regional centers are generally 30 acres or larger in size.

Community Commercial

This designation is intended to serve the daily shopping needs of a community. It includes destination centers, supermarket centers, and smaller, single-lot commercial activities. Beyond the retail uses, financial, office, hotel/motel and restaurant activities are also allowed. Community centers are generally 10 to 30 acres in size. FAR ranges from 0.23 to 0.27.

Neighborhood Commercial

This designation is for convenience shopping. It includes individual retail and service uses and small destination centers on sites generally ranging from 3 to 10 acres in size. FAR is 0.23 to 0.25.

Recreational/Resort Commercial

This category provides for resort type uses. Lodging accommodations with eating and conference facilities along with a recreational use such as golf course and/or tennis courts are allowed in this designation. Theme parks and recreation centers would also be allowed.

Professional Commercial

Office, administrative, business, and medical services are allowed. Financial institutions, limited retail commercial uses, and eating establishments all support the primary office use. Maximum FAR is 0.5.

Multiple Use

The Multiple Use designation provides the City with a flexible land use category to respond to locational and market considerations. The designation allows for commercial and residential uses with regulations varying by location.

Industrial

Quality industrial developments, providing jobs commensurate with local resident qualifications, developed in a business park setting, are desired.

Business Park

Light manufacturing, fabrication, materials processing, and assembly are provided for in this designation, provided that the uses are conducted in a controlled setting. Maximum FAR is 0.4.

General Industrial

Allows for the processing of raw materials into manufactured parts or products. Warehousing, bulk storage, and distribution facilities are also allowed. Maximum FAR is 0.4.

Civic/Institutional

This designation allows for public uses such as hospitals, general aviation airports, government offices, civic centers, public agency or district facilities, educational facilities, and libraries.

Open Space

Lands set aside for protection and conservation of natural resources are designated as open space. Steep hillsides, equal to or exceeding 50% slope, and other significant habitat areas are included in this designation. Creeks should remain in a natural condition and should be encouraged to include a trail system.

2. Project Description

Recreation/Parks

This designation is for active and passive recreational uses both public and private. Golf courses, parks, and drainage courses are considered recreational uses.

Housing Element

Decent housing and a suitable living environment for all socio-economic segments of the population is considered one of the highest priorities in the State of California. Consequently, the Housing Element is not only a mandatory element of general plans, but state law explicitly requires that it be reviewed and updated at five year intervals. The Housing Element of Murrieta's General Plan identifies population and household characteristics, as well as the quantity, quality, and characteristics of the existing housing stock. The Housing Element also examines and expresses methods to meet the housing needs, as determined in the Southern California Association of Governments' (SCAG) Regional Housing Needs Assessment. State Law mandates that goals, policies, and programs be identified that address housing for all Murrieta residents for a five-year period. Recent State legislation modified the five-year requirement. The current planning period was extended to now include the period from 1989 to 1996.

As of January, 1993, the City had an estimated 10,474 housing units. The future housing need for Murrieta has been calculated by applying current household growth rates, vacancy rates, and standards, as identified in the element. Based on this calculation, Murrieta will need to construct an estimated 1,307 housing units from January 1993 to January 1996. Future units are required to be affordable to all income groups as specified by the California Department of Housing and Community Development.

The Housing Program is required to be achievable within the planning period. To guide this Program, goals were established in the Housing Element that focus on four important housing issues. The implementation of these goals includes programs geared to assist very low income, low income, and moderate income households.

Goal H-1: Develop a diversified housing stock in terms of housing type, density, price, and tenure that meets the future housing needs of all socio-economic groups within Murrieta.

Goal H-2: Preserve, maintain, and improve the existing housing stock with special attention to existing affordable housing.

Goal H-3: Remove or minimize governmental constraints on the development, preservation, or improvement of the housing stock.

Goal H-4: Housing opportunities for all households regardless of race, color, religion, sex, family size, marital status, national origin, ancestry, age, or disability.

Circulation Element

The circulation system is one of the most critical components in the overall physical organization of the City. Its function is to provide for the movement of goods and people, including pedestrians, bicycles, transit, and automobiles. Efficient traffic circulation is important to Murrieta's economic viability and social activity. It impacts community cohesion, influences the location of future development, and affects both community appearance and character. Regional coordination is necessary, as local circulation conditions influence, and are influenced by those of neighboring communities. Circulation conditions may even determine the air quality many miles away. Because this system influences the living environment in countless ways, it maintains an important role in a community's quality of life.

The function of the Circulation Element is to provide a master blueprint for implementation of the circulation system. The General Plan land use and circulation plans were developed using alternative land use schemes and a computerized traffic model developed for the City of Murrieta. The Murrieta Traffic Model was used to evaluate the travel demands within the City at buildout of the Land Use Plan. The Circulation Plan is intended to show how the buildout of the Land Use Plan can be accommodated through the identification of desired alignments and a hierarchy of roadways and circulation routes in the City and Sphere area. Operational policies, levels of service, and safety are also addressed in the Element.

The Circulation Element includes the goals, objectives, and policies necessary to implement the Circulation Plan. It is closely related to the Land Use Element, Housing Element, Conservation and Open Space Element, and Air Quality Element. Five goals express the City's intent concerning the most relevant circulation issues. Each goal is further defined within the element in terms of specific objectives and policies.

Goal CIR-1: A circulation system, consistent with all other General Plan elements and goals, that serves the internal circulation needs of the City, while also addressing the inter-community or through travel needs.

Goal CIR-2: A regional transportation system that serves existing and future travel between Murrieta and other population and employment centers within southwest Riverside County and the larger region.

2. Project Description

Goal CIR-3: Alternatives to private automobile transportation that meet the needs of all City residents.

Goal CIR-4: An adequate supply of both private and public off-street parking.

Goal CIR-5: Reduction of traffic congestion.

Conservation/Open Space Element

State Law requires the establishment of Conservation and Open Space elements. This General Plan combines the two elements due to the close interrelationship between conservation and open space in Murrieta. Demands on natural resources and open space areas increase relative to increases in population. For this reason, it becomes necessary for a community to periodically reassess its use of these resources, particularly those that are finite and nonrenewable, or those critical to life support such as air and water. Although the traditional need for resource conservation concerned itself with natural resources, it is also important for a community to assess the man-made cultural and historic resources it wishes to preserve for future residents. This may include the preservation of historic areas and structures, or the preservation of a rural/non-urban character in appropriate locations. Open spaces must also be reviewed and identified to meet the needs of the population. Open space is an important issue in Murrieta due to the desire to maintain a rural/non-urban atmosphere where appropriate.

The goals, objectives, and policies contained within the Conservation/Open Space Element address the conservation and open space issues as they relate to buildout identified in the Land Use Element. Conservation issues for the City of Murrieta include: water resources, biotic resources, land resources, energy resources, cultural/historic resources, rural character, park and recreation, community trail system, and additional open space.

Goal COS-1: Conserve and manage water resource which include surface waters, groundwater, imported water supplies, and waste water.

Goal COS-2: Conserve biotic resources in both natural and urban environments.

Goal COS-3: Soil conservation, watershed protection, the preservation of significant landforms, and the responsible management of mineral resources.

Goal COS-4: Responsibly managed and conserved energy resources.

Goal COS-5: Protect and enhance cultural and historic resources and develop those opportunities which will serve the cultural needs and identity of the community.

Goal COS-6: Preserve, enhance, and maintain the rural character of appropriate areas.

Goal COS-7: Provide open spaces of sufficient quality and quantity to serve both the active and passive recreational needs of the community.

Goal COS-8: Develop and maintain a comprehensive community-wide system of trails that complements both local and regional trail systems.

Goal COS-9: Preserve open space areas that protect community resources and the community's health and safety.

Safety Element

The purpose of the Safety Element is to protect the City of Murrieta from such natural and man-made hazards as earthquakes, floods, fires, and hazardous materials. It is important to identify, assess, and prepare for these situations because of their potential to cause injury or death, property damage, and economic and social dislocation. A number of potentially hazardous situations exist within the community. These include areas vulnerable to geologic hazards such as surface fault-rupture, liquefaction, landslides, subsidence, and fissuring. Other areas of concern include those susceptible to severe flooding from Murrieta Creek and its tributaries, areas vulnerable to large scale wildland fires, and the influence area around the French Valley Airport. The potential for hazardous materials incidents also exists, particularly on the freeways or in industrial areas. Disaster planning and emergency management will require coordination among City Departments and various regional response programs. Design and other protection measures are proposed, along with the goals stated below, to avoid or minimize exposure to potential hazards.

Goal S-1: Protect health and safety and minimize injury, loss of life, property damage, excessive maintenance, and social and economic impacts caused by geologic hazards.

Goal S-2: Minimize injury, loss of life, property damage, and economic and social disruption caused by man-made and natural flood and inundation hazards.

Goal S-3: Reduce the risk of flooding in areas of the City located within designated dam inundation areas.

Goal S-4: Protect water resources in the Murrieta Plan Area from degradation due to urban development in their vicinity.

2. Project Description

- Goal S-5:** Protect water resources of the underlying groundwater basin from contamination and potential degradation from urban development.
- Goal S-6:** Provide citizens of Murrieta with a Fire Safe Community.
- Goal S-7:** A highly effective City Police Department.
- Goal S-8:** Develop and utilize a City Multi-Hazard Functional Plan.
- Goal S-9:** Ensure the safety of persons and property within the French Valley Airport Influence Area.
- Goal S-10:** Reduce threats to public health and safety from hazardous materials, especially threats induced by earthquakes and accidental leaks and spills.

Noise Element

The Murrieta General Plan is required to have a Noise Element that identifies, appraises, and plans for noise problems in the community. In the City of Murrieta, motor vehicle noise is the most common and widely dispersed noise source. Freeway traffic, truck traffic, and traffic on arterial roadways such as Jefferson Avenue or California Oaks Road generates most noise of this type. A lesser degree of noise is generated from the two local airports and construction and industrial activities.

The ultimate purpose of noise control policies is to minimize the exposure of community residents to excessive noise. The need to provide this protection will increase over the coming years as the population density increases. Controlling environmental noise within acceptable levels of exposure can be accomplished by the thoughtful location of land uses, proper site design and protection techniques, and various other techniques as prescribed under the following goals.

- Goal N-1:** A community where noise sensitive land uses are properly and effectively protected from excessive noise generators.
- Goal N-2:** Reduce and avoid noise impacts from mobile sources.
- Goal N-3:** Reduce and avoid noise impacts from construction sources.

Air Quality Element

The City of Murrieta is located within the South Coast Air Basin. Because air quality is clearly a regional issue, pollution standards and planning requirements must be considered on a state and federal level. Murrieta's Air Quality Element is an optional element that has been prepared to address local responsibility for air pollution and comply with the South Coast Air Basin's 1991 Air Quality Management Plan (AQMP). Both stationary and mobile sources of air pollution exist within the City. Permits have been granted to operate stationary sources of emissions such as restaurants, manufacturing plants, dry cleaners, and automotive services. However, most of the air pollutant emissions in the City are generated by mobile sources, primarily the cars, trucks, and buses travelling on local freeways and streets.

The goals, objectives, and policies are designed to reduce the health and economic impacts of air pollution in Murrieta and to increase awareness of local, regional, and governmental responsibility for air quality.

Goal AQ-1: Improve air quality through joint regional efforts.

Goal AQ-2: Improve air quality through land use planning.

Goal AQ-3: Improve air quality through greater jobs/housing balance.

Goal AQ-4: Control emissions by reducing vehicle trips and vehicle miles travelled.

Goal AQ-5: Enhance mobility to improve air quality.

Goal AQ-6: Reduce air emissions through energy conservation.

Goal AQ-7: Reduce particulate matter (PM₁₀) and fugitive dust emissions.

Goal AQ-8: Improve air quality through new technology.

Economic Development Element

An Economic Development Element is part of the Murrieta General Plan because the City believes that coordinated and planned economic development is important to the continued maintenance and improvement of the community. Within the Element, Murrieta's economic environment is discussed in terms of production- and consumption-based factors. The element also addresses economic factors associated with activity outside of Murrieta Plan Area boundaries.

2. Project Description

The goals, objectives, and policies identified in the Element are designed to ensure that Murrieta takes a proactive role in guiding economic development.

Policy guidelines are organized around the following goals:

ED-1: Provide citizens and businesses of Murrieta with a sound economic base.

ED-2: Provide citizens and businesses of Murrieta with a strong economic base through a coordinated implementation strategy that is responsive and efficient.

ED-3: Identify and provide for special circumstances that merit unique directives regarding economic growth or revitalization.

ED-4: Develop a strong fiscal operating position with the capacity to meet public service demands of residents and businesses.

2.5 GROWTH ASSUMPTIONS

Buildout of the Land Use Plan is based on the intensity of each designation multiplied by the gross acreage identified on the plan for the category. Buildout of the residential areas is based on the target densities (for designations that have no target density, the mid-point density is assumed). Non residential buildout is based on assumed FARs. Total yield in terms of dwelling units, population, and commercial and industrial building area are shown in the Land Use Section. An average household population of 2.86 people per household was assigned to each dwelling unit to calculate a total population for the City. The Housing Program, in the Housing Element, assumes 3.22 persons per household due to the shorter range planning period of the Program (4 years). Per unit housing population typically decreases with the construction of new units over time.

The total Plan buildout is estimated to be 50,906 units and 37,035,000 square feet of non-residential development. Buildout population potential is 145,591 persons. These figures assume every square foot of every designated parcel in the City will be developed according to its midpoint density or, where appropriate, its target density, and does not account for existing development that may have been developed at a lower intensity, or for vacancy rates for residential uses. Therefore, although it is assumed that total buildout of the City in all likelihood will not occur, the figures indicate a reasonable "worst case" scenario, based on assumed densities and intensities for the Plan Area. To provide full environmental clearance, this reasonable "worst case" buildout scenario is used as the basis for the analysis of impacts.

3. SUMMARY OF IMPACTS AND MITIGATION MEASURES

3. SUMMARY

This chapter summarizes the potential impacts of the proposed project and lists mitigation measures recommended to reduce or avoid significant impacts. For a full description of the project, its potential impacts, and alternatives, the reader is referred to Chapters 2, 4, and 6, of the Draft EIR as modified by this document.

3.1 PROJECT UNDER REVIEW

This EIR evaluates the potential environmental impacts of the proposed Murrieta General Plan. The General Plan is the City's primary vehicle for establishing policies to guide decisions regarding land use, future growth, the provision of public services, protection of natural features, and maintenance of community character. The General Plan contains a vision statement for the community, and a series of goals, objectives, policies, and programs designed to guide the future development of the City. Since Murrieta is a newly established city, this is the first General Plan prepared for the City. The area encompassed by the General Plan includes the incorporated territory within the City limits as well as unincorporated area in the City's designated sphere of influence. The City covers an area approximately 26.5 square miles in size and the sphere of influence includes an additional 11,657 acres (18.2 square miles). The General Plan establishes land use designations and a circulation system for the entire area and includes a broad range of policies and programs which address the topics of housing, safety, noise, conservation, open space, air quality, and economic development.

Murrieta's general plan process began before incorporation through the efforts of a citizens' committee which drafted a preliminary set of goals for the future plan. After incorporation, a 16-member General Plan Advisory Committee (GPAC) was selected by the City Council to guide the preparation of the first Murrieta General Plan. Members of the GPAC represented the City Council, Planning Commission, Chamber of Commerce Board of Directors, School District Board of Directors, the development community, Community Service Area 143, and citizens from various geographic areas of the City (including the sphere of influence). The GPAC reviewed draft documents, provided direction to consultants and staff, shaped alternative land use plans, and ultimately forwarded a recommended draft General Plan to the Planning Commission and City Council.

Following public review of the Draft General Plan and the Draft EIR, the General Plan was revised by the City to more closely reflect the community's vision for the future of the City. This refined version of the General Plan is presented in Chapter 6, Analysis of the Final General Plan. The analysis verifies that the changes made to the Draft General Plan do not result in new environmental impacts or the need for additional mitigation measures.

3. Summary

3.2 SUMMARY OF IMPACTS

This summary provides an overview of the analysis contained in Chapter 4 of the Draft EIR, Environmental Setting, Impacts and Mitigation Measures with the modifications proposed in this document. This summary includes discussions of: a) effects found not to be significant; b) potential areas of controversy; c) significant impacts; d) mitigation measures to avoid or reduce identified significant impacts; e) unavoidable significant impacts; and f) alternatives to the project.

Definition of Significant Impacts

Under CEQA, a significant effect on the environment is defined as a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including park land, air, hydrology, minerals, flora, fauna, ambient noise, objects of historic significance, light and glare, public service, utilities and natural resources. Standards for determining the significance of impacts are presented prior to the discussions of impacts for individual topics in Chapter 4.

Mitigation Measures to Avoid or Significantly Reduced Identified Significant Impacts

The EIR discusses mitigation measures that would be implemented by the City. Generally, these include implementation of the proposed General Plan policies, adoption of additional policies, and/or adopting more specific measures not mitigated by the General Plan.

Unavoidable Significant Impacts

Although impacts on land use associated with growth that could occur under the proposed General Plan would be substantially reduced through implementation of General Plan policies, impacts associated with the potential loss of open space and agricultural lands are still considered significant and unavoidable. All other significant impacts identified in the EIR have been mitigated to a less-than-significant level.

Alternatives to the Project

In addition to the analysis of the Draft General Plan and Final General Plan, three alternatives have been considered as part of the environmental review for this project:

1. **No Growth.** This alternative assumes that no new development would occur in the City. Impacts would solely be based on existing environmental influences in the City and those that would continue to be created outside of the City (such as traffic generation).
2. **No Project (Buildout under the Southwest Area Plan).** The "No Project" Alternative would allow development in the City to continue in conformance with the County land use designations set forth in the SWAP as they applied prior to incorporation. Buildout under the SWAP would result in approximately 33,334 residential units, 1,902 acres of commercial development, 1,952 acres of industrial development, and 1,902 acres of Multiple-Use development. This alternative would provide

an increase in commercial development of approximately 18 percent over the levels in the proposed general plan, and would result in 17,572 fewer residential units.

3. Specific Plan Alternative. This alternative incorporates all specific plans proposed and approved in the City and Sphere of Influence. There is a greater emphasis on commercial and industrial land uses, and a 22,262 decrease in dwelling units. Where the proposed Plan designates nearly all industrial as "Light Industrial" this alternative has a larger percentage of "General Industrial". Only 10 acres of the Plan area are devoted to Multiple-Use versus the 303 acres designated by the proposed General Plan and the alternative proposes 796 fewer acres of open space.

3. Summary

SUMMARY TABLE

Information in the following table, Table 3-1, Summary of Environmental Impacts and Mitigation Measures, has been organized to correspond with environmental issues discussed in Chapter 4. The summary table is arranged in four columns: 1) environmental impacts; 2) potential level of significance without mitigation; 3) recommended mitigation measures; and 4) the level of significance after implementation of mitigation measures. A series of mitigation measures are noted where more than one mitigation measure may be required to reduce the impact to a less-than-significant level. Changes to the summary table that have been made subsequent to the public review period for the Draft EIR are shown in strike-out (~~strike-out~~) or **bold** text.

TABLE 3-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
4.1 Land Use			
4.1-1 The land use designations and associated density/intensity standards set forth in the General Plan will allow substantial additional development in the City and sphere of influence, potentially resulting in the construction of up to approximately 38,255 additional residential units and about 33,912,800 square feet of additional non-residential floor area. This is a <i>potentially significant impact</i>.	PS	4.1-1 <i>Collectively, conformance with the Land Use policies of the General Plan are designed to avoid or reduce adverse land use impacts associated with new development and growth. Specifically, implementation of the following Land Use policies will reduce impacts to a less-than-significant level:</i> ■ Residential land uses (LU-1.1e, LU-1.1i, LU-1.1j) ■ Commercial land uses (LU-1.2j) ■ Multiple land uses (LU-1.3c, LU-1.3g) ■ Industrial land uses (LU-1.4g) ■ Existing urban services (LU-3.1a, LU-3.1b, LU-3.1c) ■ Adequate public facilities (LU-3.2a, LU-3.2b, LU-3.2c) ■ Public facilities/master plans (LU-3.3a, LU-3.3b, LU-3.3c, LU-3.3d, LU-3.3e)	LS
4.1-2 Buildout of the proposed General Plan would result in the conversion of a substantial amount of agricultural land and open space to urban uses. This is a <i>potentially significant impact</i>.	PS	4.1-2 <i>Conversion to urban uses is a policy decision of the City and cannot necessarily be considered adverse of and by itself. The following policies of the General Plan are intended to at least partially compensate for</i>	SU

S = Significant
LS = Less Than Significant

SU = Significant Unavoidable
PS = Potentially Significant

B = Beneficial
N/A = Not Applicable

**TABLE 3-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
		<i>the potential loss of open space and agricultural land:</i> ■ Residential land uses (LU-1.1a, LU-1.1b, LU-1.1c) ■ Open space (LU-1.7a, LU-1.7b) ■ Livestock (LU-2.1a, LU-2.2c) ■ Conflicts with existing agriculture (LU-2.3a) <i>Even with implementation of this mitigation measure impacts associated with the loss of open and agricultural land space remain significant and unavoidable.</i>	
4.1-3 Buildout of the General Plan will alter the character of land use and development in the community through conversion from a largely undeveloped, semi-rural area to a fully developed area composed primarily of urban uses. This is a <i>potentially significant impact</i>.	PS	4.1-3 <i>The General Plan contains policies designed to preserve and maintain certain aspects of the community's existing rural character. Other policies are provided to promote a desired character in new development. These policies are:</i> ■ Development regulations (LU-1.8a, LU-1.8b, LU-1.8c, LU-1.8e) ■ Design guidelines (LU-2.2a, LU-2.2b, LU-2.2c, LU-2.2d, LU-2.2e) ■ Conflicts with existing agriculture (LU-2.3a)	LS

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TABLE 3-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
4.1-4	As new development occurs, the potential exists for incompatibilities between land uses to occur. This is a <i>potentially significant impact</i> .	PS	■ Historic Murrieta (LU-4.1a, LU-4.1b) ■ Los Alamos District (LU-4.2b)	LS
			4.1-4 <i>Conformance with the following Land Use policies should adequately address potential adverse impacts associated with land use incompatibility:</i> ■ Commercial land uses (LU-1.2h, LU-1.2i) ■ Industrial land uses (LU-1.4a, LU-1.4d, LU-1.4e, LU-1.4f) ■ Conflicts with existing agriculture (LU-2.3b, LU-2.3c)	
4.1-5	New development could encroach or otherwise adversely affect sensitive natural areas, such as drainage courses, habitat areas, and steep hillsides. This is a <i>potentially significant impact</i> .	PS	4.1-5 <i>Implementation of Land Use policy LU-1.7a dealing with open space and the following Conservation and Open Space policies, along with mitigation measures 4.4-2(a), 4.4-2(b), and 4.12-1(b), should reduce potential impacts to a less-than-significant level:</i> ■ Surface waters (COS-1.2b, COS-1.2c, COS-1.2d, COS-1.2k, COS-1.2l) ■ Supportive land use strategies (COS-2.2a, COS-2.2b, COS-2.2c, COS-2.2d)	LS

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TABLE 3-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
4.2 Geology, Seismicity, and Soils	4.2-1 Construction activities would expose soil to erosion; dust would be generated during demolition, clearing, hauling, earthmoving, and grading. This is a potentially significant impact.	■ Landform protection (COS-3.1a, COS-3.1b, COS-3.1c, COS-3.1d, COS-3.1e, COS-3.1f, COS-3.1g) ■ Preservation of significant slopes (COS-3.2a, COS-3.2b, COS-3.2c, COS-3.2d)	LS
		4.2-1(a) Implementation of Policy S-4.1b. This policy ensures that new development will include erosion and sedimentation controls.	
		4.2-1(b) An erosion and sediment control plan should shall be implemented for the grading and construction phases of major new development construction projects, with particular attention given to and projects proposed in areas with slopes over 25 percent. In accordance with City guidelines, specific erosion control measures should be designed by the project team and reviewed by the City prior to issuance of a grading or construction permit.	
S = Significant LS = Less Than Significant SU = Significant Unavoidable PS = Potentially Significant B = Beneficial N/A = Not Applicable			

TABLE 3-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
4.2-2	New development may create or increase slope instability and related hazards. This is a <i>significant impact</i>.	S	4.2-2(a) <i>Implement Policy S-1.1h. This Policy discourages development on steep terrain.</i>	LS
			4.2-2(b) <i>Significant areas with slopes of 25 percent or over shall be considered unsuitable for types of development which require extensive grading or land disturbance.</i>	
			4.2-2(c) <i>Proposed extensions of urban or suburban land uses into areas characterized by slopes over 25 percent and other generally unstable land with over 15 percent slopes shall be evaluated with regard to safety hazard prior to the issuance of any discretionary approvals.</i>	
			4.2-2(d) <i>Consider adoption of a hillside preservation ordinance in order to implement the policies of the Safety Element and other elements of the General Plan.</i>	
4.2-3	Construction of projects in zones of high seismic risk could result in structural damage exposing additional people to hazard from earthquakes. This is a <i>significant impact</i>.	S	4.2-3 <i>In addition to complying with the Uniform Building Code, implementation of Policy S-1.1c and e, would reduce this impact to a less-than-significant level. The components of these policies ensure that projects located in areas subject to seismic hazard prepare</i>	LS

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TABLE 3-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
		<i>reports addressing the hazards and outlining appropriate mitigation.</i>	
4.2-4 Construction in zones subject to fissuring could result in structural damage, exposing additional people to risk. This is a <i>potentially significant impact.</i>	PS	4.2-4 Implementation of Policy S-1.1e would reduce this impact to a less-than-significant level. This Policy requires that projects located in areas where fissuring and subsidence are considered to be hazards prepare geologic reports addressing site conditions, potential risk, and mitigation.	LS
4.3 Hydrology and Water Quality			
4.3-1 Implementation of the proposed General Plan would increase the amount of surface flow generated in the City. Increased surface flow could exacerbate flood conditions and degrade water resources. This is a <i>potentially significant impact.</i>	PS	4.3-1(a) Implementation of Policies S-2.1b, S-2.1h, S-4.1a, S-4.1b, S-4.1c and S-4.1d. would reduce this impact to a less-than-significant level. These policies ensure that adequate drainage is provided with new land uses, that future development takes into account existing capacity and infrastructure problems, and that urban runoff from new development is minimized.	LS
		4.3-1(b) A policy should be added to the General Plan Safety Element requiring development within Federal Emergency Management Agency (FEMA) mapped flood plains to provide all studies, calculations, plans and	

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TABLE 3-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
		<i>other information required to meet FEMA regulations, and that applicants obtain a Conditional Letter of Map Revision (CLOMR) prior to grading, recordation or other final approval of a project as well as a Letter of Map Revision (LOMR) prior to occupancy.</i> 4.3-1(c) <i>A policy should be added to the General Plan Safety Element requiring that applicants for projects that impact a natural watercourse or mapped flood plain obtain a Section 1601/1603 Agreement from the California Department of Fish and Game and a Clean Water Act Section 404 permit from the U.S. Army Corps of Engineers, or written correspondence from these agencies indicating the project is exempt from these requirements.</i>	
4.3-2 Grading, excavation and construction activities occurring with new development under the proposed General Plan have the potential to increase erosion of soil and deposition of particles in drainage ways. This is a <i>potentially significant impact</i> .	PS	4.3-2 Implementation of Policies S-2.1h, S-4.1a, and S-4.1b would reduce this impact to a less-than-significant level. These policies ensure that new development will address erosion and sedimentation control.	LS

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TABLE 3-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
4.3-3	Groundwater contamination at various locations within the City could affect groundwater quality underlying the proposed project area. This is considered a potentially significant impact.	PS	4.3-3 <i>Implementation of Policy S-5.1a would reduce this impact to a less-than-significant level. This policy ensures that businesses which plan to use hazardous materials obtain the necessary permits and comply with relevant EPA and RWQCB standards.</i>	LS
4.3-4	Development occurring under the General Plan could reduce groundwater recharge, reducing the available water supply. This is a potentially significant impact.	PS	4.3-4 <i>Implementation of Policies S-2.1b, S-2.1h, COS 1.3a through d, COS-1.2a and COS-1.6f would reduce this impact. These policies reduce impacts to the groundwater basin by preserving natural drainage courses and encouraging the use of pervious surfaces in new development.</i>	LS
4.3-5	Construction of residential housing and other critical facilities (i.e. schools, hospitals, sewage treatment plants) in the City could expose more people to safety hazards and property damage associated with flooding. This is a potentially significant impact.	PS	4.3-5 <i>Implementation of Policies S-2.1e, S-2.1f and S-1.n would reduce this impact to a less-than-significant level. These policies ensure that attention is paid to flood zones when construction is undertaken so as to avoid exposing more people to risks associated with flooding. These policies also reduce stormwater runoff which contributes to flooding.</i>	LS
4.3-6	Projects built in areas of shallow groundwater could require dewatering which could introduce contaminated	PS	4.3-6 <i>A policy should be added to the conservation and Open Space Element that will ensure that projects located in areas of shallow</i>	LS

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**TABLE 3-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
waters into the stormdrain system. <i>This is a potentially significant impact.</i>		groundwater protect against discharging contaminated water into the stormdrain system by following NPDES permitting procedures.	
<u>4.4 Biotic Resources</u>			
4.4-1 Buildout of the proposed General Plan would result in the fragmentation of habitat for native plant and wildlife species. This is a significant impact.	S	4.4-1(a) <i>The City of Murrieta as a condition of project approval shall require the project proponent for each project within an area that contains significant natural habitat to develop and implement a wildlife and habitat management plan. The goal of the wildlife and habitat management plan will be to set forth specific development guidelines to ensure the preservation and survival of sensitive, unique, or locally limited flora and fauna that currently exist in the General Plan area.</i> 4.4-1(b) <i>The City of Murrieta shall ensure, as a condition of project approval that wildlife corridors within the General Plan area be established and preserved in perpetuity to permit free movement of resident and migratory wildlife and to integrate this free movement with the preservation of General Plan area wetland resources. Such corridors</i>	LS

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**TABLE 3-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
		<i>shall include the floodplain of Murrieta Creek, Warm Springs Creek, their associated tributaries and Cole Creek. Plans and projects proposed in sensitive areas shall preserve these major wildlife corridors and identify and preserve in perpetuity additional localized or project-specific wildlife movement corridors identified in the CEQA analysis required for such a project. Such localized corridors shall connect to the corridors associated with Murrieta Creek, Warm Springs Creek, and Cole Creek.</i>	
4.4-2 Implementation of the proposed project may result in the loss or adverse modification of Riparian Scrub or Forest habitats, and loss of habitat values for both common and special-status wildlife species that utilize these on-site habitats. This is a <i>significant impact</i>.	S	4.4-2(a) <i>Implementation of Policy COS-2.2b which states that the establishment of adequate buffer areas between sensitive habitats and development shall occur. Provide adequate setbacks to protect riparian habitats from roads and structures. Periodically review minimum riparian area setbacks to determine if setback distances are effective, and revise if necessary.</i> 4.4-2(b) <i>To the maximum degree feasible, designate as open space lands located within 100 feet from the top of bank or outside edge of riparian vegetation or a wetland boundary, which ever is greater, for perennial and intermittent</i>	LS

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**TABLE 3-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
		<i>streams and creeks, and wetland areas. The City shall prohibit grading, structures, planting of exotic plant species, and native vegetation removal within the 100-foot buffer zone.</i>	
		4.4-2(c) <i>Where proposed roadways or roadway improvement projects cross wildlife corridors, project proponents in consultation with the City of Murrieta and CDFG, shall design road crossings to accommodate wildlife corridors and facilitate the free passage of fish and wildlife species.</i>	
		4.4-2(d) <i>The City as a condition of project approval shall require all projects involving grading in the vicinity of a natural watercourse to implement the use of "Best Management Practices" to control erosion during all construction activities.</i>	
		4.4-2(e) <i>The City as a condition of project approval shall require all projects in the vicinity of a natural watercourse to implement the use of "Best Management Practices" to avoid</i>	

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3. Summary of Environmental Impacts and Mitigation Measures

**TABLE 3-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
		<i>contamination of riparian habitat from urban stormwater run-off.</i>	
		4.4-2(f) <i>The City shall require strict covenants, codes, and restrictions for all land owners adjacent to riparian preserves to prohibit the dumping of refuse or yard clippings, the removal of vegetation, or the planting of exotic species within the riparian buffer zone.</i>	
4.4-3 Implementation of the proposed project will result in the filling or adverse modification of waters of the U.S. including wetlands, springs, and creeks. This is a <i>significant impact</i>.	S	4.4-3(a) <i>The City of Murrieta shall establish and implement a "no net loss" wetland policy for the entire General Plan area. Avoidance of wetlands shall be a priority and, when not feasible, impacts shall be kept to a minimum. Compensation shall occur for any loss of wetland acres and/or values to ensure meeting the no-net loss goal.</i>	LS
		4.4-3(b) <i>The City of Murrieta as a condition of project approval shall require the project proponent for each project containing wetlands to conduct a wetland delineation study. Wetland delineation studies shall be conducted by a qualified biologist in conformance with the most current U.S. Army Corps of Engineers methodology. The wetland delineation will be submitted to the</i>	

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TABLE 3-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
		<i>Corps for formal verification and the City shall not accept any applications for land use entitlement unless accompanied by a Corps verified wetland delineation report.</i> 4.4-3(c) <i>An individual permit, written authorization under an existing nationwide permit, or a written response stating that no further action is required, will be obtained from the Corps prior to the filling or other adverse modification of any of the verified delineated waters of the U.S. on the project site.</i> 4.4-3(d) <i>Where applicable, the City as a condition of project approval shall require project proponents to obtain a Streambed Alteration Agreement. The Agreement shall be submitted to DFG at least 30 days prior to the filling or adverse modification of any of the delineated wetland habitats including Murrieta Creek, Warm Springs Creek, and Cole Creek.</i> 4.4-3(e) <i>The City shall require that all wetlands avoided and/or other appropriate non-profit agency otherwise preserved shall be dedicated to the City or or other appropriate non-profit entity, preserved through covenants</i>	

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TABLE 3-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
4.4-4 Implementation of the proposed project may result in the loss of special-status wildlife species or their habitat. This is a significant impact.	S	<i>enforceable by the City to ensure their maintenance and survival in perpetuity.</i> 4.4-4 All new project submittals shall be reviewed for their potential environmental impact to biotic resources. Unless a determination is otherwise made by the Planning Department, Any new projects on vacant land shall have a preliminary "walk-over" field inspection performed by a qualified biologist. For any site that has been previously graded or otherwise disturbed, a field inspection may not be necessary. The determination on whether or not a field inspection is required will be made by the Planning Department on a case by case basis. As a result of the qualified biologist's preliminary field inspection, he/she will recommend one of three possible courses of action. They are as follows: 1. No further evaluation needed due to the absence of sensitive biotic resources. 2. Completion of a Biological Survey (or Assessment) if an important habitat and/or special-status wildlife/plant	

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Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
		<i>species known in the region is present on or suspected to inhabit the project site. Surveys shall be conducted in accordance with the most current DFG/USFWS guidelines or protocols for determining the time of year and survey methodology.</i> 3. <i>The preparation of a Biological Impact Report if any special-status wildlife/plant species are present on the site base on observation or sign.</i> <i>Surveys and subsequent reports shall include at a minimum.</i> ■ <i>A complete list of species observed on the project site for inclusion in the report.</i> ■ <i>A detailed description of methodology including dates of field visits, the names of survey personnel with resumes, and a list of references cited and persons contacted.</i> ■ <i>Survey results which include at a minimum:</i>	

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SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
		- <i>A map showing the location(s) of any special-status species identified on the project site.</i> - <i>A detailed description of any identified special-status species population including information on the density, distribution, and habitat quality relative to typical occurrences of the species in question.</i> - <i>A discussion of the importance of the population(s) with consideration of both nearby populations and total species distribution.</i> - <i>An assessment of significance related to project impacts to any special-status species populations identified on the project site.</i> - <i>Recommended mitigation measures to lessen any anticipated significant impacts. Such mitigation measures might do the following:</i>	

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Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
		<i>Demonstrate and ensure that the special-status species populations in question shall be protected on site. This shall include adequate buffer zones and financial means that will ensure the protection and management of the preserve lands in perpetuity.</i>	
		or	
		<i>Should on-site preservation be infeasible, the City of Murrieta in consultation with DFG and/or USFWS if warranted shall require that a mitigation plan be developed and implemented by the project proponent that will preserve the species at an off-site location. This could be accomplished on suitable public lands or through the purchase of fee title or conservation easement on suitable private lands to ensure protection of the preserve lands in perpetuity. The funding shall also include the amount necessary to maintain, monitor,</i>	

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Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
		<i>and provide for remedial actions to ensure the establishment of the species at the new location.</i> <i>Determinations of significance shall at a minimum, be made in consideration of the following criteria:</i> - <i>The status of the species in question (officially listed by the State or Federal Endangered Species Acts, candidate species, species of special concern, etc.)</i> - <i>The relative density and distribution of the on-site occurrence to typical occurrences of the species in question.</i> - <i>The habitat quality of the on-site occurrence relative to historic, current, or potential disturbance to the population.</i>	
4.4-5 Implementation of the proposed project will result in the loss or destruction of	S	4.4-5(a) <i>The City of Murrieta shall require all project proponents proposing development in SKR habitat areas to participate in "Section 7"</i>	LS

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**TABLE 3-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
potential habitat for the Stephens' kangaroo rat. This is a <i>significant impact</i> .		<i>consultation with the U.S. Fish and Wildlife Service. the Stephens' Kangaroo Rat Habitat Conservation Plan unless the City is a member of the Habitat Conservation Agency (HCA). If the City is a member of the HCA, the rules and procedures of the HCA shall apply. Both procedures could This plan will allow incidental take under section 10(a) of the Endangered Species Act. Issuance of a the 10(a) permit would enable the City to issue development permits resulting in the "incidental take" of SKR, where take is defined as any activity that would harm, kill, harass, or endanger SKR in the course of construction.</i> 4.4-5(b) The City of Murrieta shall pursue joining the Riverside County Habitat Conservation Agency. 4.4-5(c) Proposals for new development in high fire hazard areas shall be evaluated for their potential impact on natural habitat resulting from brush clearance. Where significant impacts are likely to occur mitigation measures shall be provided to avoid or off-set such impacts.	

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Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
		4.4-5(d) <i>Areas dedicated as open space and other areas of natural habitat shall be protected from damage by off-road vehicles and other habitat-damaging disturbances such as camping, and unrestricted access by house pets. Areas shall be protected through fencing, signing and policing to indicate that such activities are prohibited.</i>	
4.4-6 Implementation of the proposed project may result in the loss or destruction of rare, threatened or endangered plant species. This is a <i>significant impact</i> .	S	4.4-6(a) <i>Implementation of policy COS-2.1(f) which states that development projects will assess the total habitat value of a site rather than simply the presence or absence of special-status species.</i>	LS
		4.4-6(b) <i>Implement Mitigation Measure 4.4-4.</i>	
4.4-7 Implementation of the proposed project will result in the loss or degradation of undeveloped habitat areas connecting to the Santa Rosa Plateau Ecological Reserve. This is a <i>significant impact</i> .	S	4.4-7(a) <i>The Land Use Plan shall be modified, designating as open space a corridor along Cole Creek connecting to Murrieta Creek and to the areas of designated open space to the south. Said corridor shall be maintained in a natural condition to promote the movement of wildlife.</i>	LS
		4.4-7(b) <i>Prior to approval of projects proposed within Cole Canyon, the City of Murrieta shall require that the project proponent prepare, a</i>	

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Impact		Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
			<i>plant and wildlife management plan. The project proponent shall work in cooperation with The Nature Conservancy and reserve managers in developing and implementing the plan in order to conserve and protect biological resources in this area.</i>	
4.5 Population and Housing				
4.5-1	Upon buildout of the General Plan, an additional 38,255 dwelling units could be added to the housing stock of the City and the sphere of influence. This is considered a <i>less-than-significant impact</i> .	LS	4.5-1 None required.	N/A
4.5-2	Upon buildout of the General Plan, the population of the General Plan area would increase by about 105,450 persons. This is considered a <i>less-than-significant impact</i> .	LS	4.5-2 None required.	N/A
4.5-3	Upon buildout of the General Plan, it is projected that the employment in the City could increase by up to 63,000 jobs. This is considered a <i>less-than-significant impact</i> .	LS	4.5-3 None required.	N/A

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SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES**

Impact		Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
4.6 Utilities				
4.6-1	Buildout under the plan would result in the consumption of approximately 1,836 million kilowatt hours (mkwh) per year of electricity. This would result in a net increase in consumption of 1,494 kwh per year or a 435 percent increase over existing levels. This is a <i>less-than-significant impact</i> .	LS	4.6-1 None required.	N/A
4.6-2	Buildout of the Murrieta General Plan would result in the consumption of approximately 9,077 million cubic feet per year of natural gas. This would represent a net increase of 7,336 million cubic feet per year (421 percent) of natural gas over existing levels of consumption. This is a <i>less-than-significant impact</i> .	LS	4.6-2 None required.	N/A
4.6-3	Buildout of the proposed General Plan would result in the consumption of approximately 15,760 million gallons of water per year (mgy). This represents a net increase in water use of approximately 12,272 mgy or 352 percent. This is a <i>potentially-significant impact</i> .	PS	4.6-3(a) Include a policy in the Conservation and Open Space Element requiring dual plumbing systems in large new developments as reclaimed water becomes available over the next ten years. 4.6-3(b) Include a policy in the Conservation and Open Space Element to encourage the use of	LS

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Impact		Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
			<i>reclaimed water where appropriate and feasible as a water source for industrial use and to irrigate large landscaped areas.</i>	
4.6-4	Buildout of the General Plan would result in the generation of approximately 7,288 9,418 million gallons per year (mgd) of wastewater. This would result in a net increase of 5,305 7,435 mgd or a 268 375 percent increase over current generation. This is a <i>potentially significant impact</i>.	PS	4.6-4 <i>Implement Land Use Element Policies LU-3.1, 3.2 and 3.3 in addition to Conservation and Land Use Policy COS-1.6.</i>	LS
4.6-5	Under the proposed General Plan, approximately 190,724 tons per year of solid waste would be generated. This is an increase of 142,961 tons per year, or 300 percent, over current generation rates. This is a <i>potentially-significant impact</i>.	PS	4.6-5 <i>Implement Conservation and Open Space Policies COS-4.1c and 4.2e, which requires compliance with the source reduction requirements of AB939.</i>	LS
4.7 Public Services				
4.7-1	Buildout under the proposed General Plan would result in a need for approximately 45 additional police officers to maintain existing levels of service. This is a <i>significant impact</i>.	S	4.7-1 <i>Implementation of Land Use Element Policies LU-3.2a, 3.2b, 3.2c, and Safety Element Policies S-7.1a, S-7.1b, and S-7.1d would reduce this impact to a less-than-significant level.</i>	LS

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Impact		Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
4.7-2	Increases in population and employment under the proposed General Plan would increase the need for fire protection and emergency services, requiring additional emergency responses and the need for additional fire protection personnel, fire prevention personnel, and related support facilities. This is a <i>significant impact</i> .	S	4.7-2 Implementation of Land Use Element policies LU-3.2a,b,c and Public Safety Element Policies S-6.1a, 6.1e and 6.1f would reduce impacts on fire services to a less-than-significant level.	LS
4.7-3	Buildout of the proposed General Plan and associated increases in population would increase the demand for library services. This is a <i>significant impact</i> .	S	4.7-3(a) Implement Land Use Element Policies LU-3.2c, LU-3.3a, LU-3.3e, and Conservation Element Policy COS-5.1b.	LS
			4.7-3(b) Include a policy in the Land Use Element requiring new developments to contribute fees to the City Library to offset project demand on library services. Implementation of this mitigation measure would reduce this impact to a less-than-significant level.	
4.7-4	Based on a parkland to population ratio of 5 acres/1000 population, buildout of the proposed general plan would generate a need for an additional 603 acres of parkland within the City and sphere area. This is a <i>significant impact</i> .	S	4.7-4 Implementation of proposed Conservation Element Policies COS-7.1a, COS-7.1d, COS-7.1h, and COS-7.2b and implementation of the proposed land use plan would reduce potential impacts on	LS

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Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
4.7-5	S	<i>park and recreational facilities to a less-than-significant level.</i>	LS
		4.7-5(a) Implementation of Land Use Policies, LU-3.2a,b,c, and LU-3.3e, and required payment of school impact fees. would reduce impacts on schools to a less than significant level.	
		4.7-5(b) <i>Land Use Element Policy LU-3.3e shall be revised as follows and Policies LU-3.3f and g, as stated below, shall be added to the Land Use Element of the General Plan to reduce impacts on public schools:</i>	
		LU-3.3e <i>In order to ensure that adequate school facilities are available when development entitlements are requested, the City shall on an annual basis:</i> i) <i>Request that school districts serving the Plan area indicate the level of facilities presently available to serve development requiring discretionary review;</i> ii) <i>Request that school districts serving the Plan area provide a status</i>	

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Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
		<i>report of overcrowding of facilities within school district boundaries and identify available classrooms as well as the need for additional adequate school facilities to serve proposed development, status of applications for state funding, eligibility for such funding in relation to authorized state bonds for such funding; and,</i> <i>iii) Request school districts serving the Plan area to provide the city with identification of impacts which are anticipated as a result of proposed development.</i> <i>LU-3.3f Recognizing that the provision of adequate school facilities is the responsibility of the State, the school districts, developers, and the City of Murrieta shall:</i> <i>i) Coordinate with developers and school districts in the legislative approval process to ensure that school sites are adequately sized, located to meet increases in demand</i>	

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		<i>and will be available as needed as part of phasing of development of projects including such school sites. All development proposals of 75 acres or more not within a master plan or specific plan shall be evaluated by the school district and the city for possible inclusion of a ten net usable acre elementary school site;</i>	
		ii) <i>Coordinate efforts for public financing by school districts, the city, or both, to ensure timely availability of adequate school facilities to the extent state funding or other sources are not assured or received by school districts on a timely basis in order to provide school facilities for such developments;</i>	
		iii) <i>Coordinate the planning and location of schools and other related public facilities at the earliest possible stage of the development process;</i>	

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Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
		iv) <i>Coordinate the preparation of development and school services data, projections, needs assessments and available financing therefor, including state funding and efforts to achieve the highest possible priority for such funding for the community.</i>	
		LU-3.3g <i>In the process of considering legislative land use approvals which will or are likely to create additional impacts on a particular school district, the city will:</i>	
		i) <i>Require that applications for general plan amendments, including changes in land use classifications, development agreements, annexations, public financing and redevelopment proposals, or any other legislative approval, as well as applicable determinations of consistency with the general plan, be carefully evaluated as to timely availability of adequate school facilities and</i>	

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Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
		<i>assurance of funding for such school facilities. Any environmental review required by CEQA shall include an analysis of the impact of the development project upon the school district, recognizing that state statutory school fees are not sufficient to provide adequate mitigation;</i>	
		<i>ii) Require that project analysis include utilizing the school district's most recent Impact Mitigation Study to determine existing capacity, future capacity expansion, current demand, and student generation factors so as to accurately measure project demand on the school districts;</i>	
		<i>iii) Work with developers and school districts to assist school districts to receive funding for school facilities from all sources including possible state funding and establishing a maximum priority for such funding;</i>	

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Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
		iv) <i>Notify, confer and meet on a periodic regular basis with affected school districts on proposed development applications early in the review process in order to allow for adequate response by school districts. A joint coordinating committee with school districts should be established to meet regularly to consider development proposals submitted to the city and school districts;</i>	
		v) <i>In considering the approval of general plan amendments, changes in land use classifications, development agreements, annexations and public financing proposals or other legislative acts or applicable determinations of consistency with the general plan, the city shall review said proposals as to timely availability and assurance of funding for timely and adequate school facilities to serve the proposed development. If adequate school facilities will not be available in a timely manner to</i>	

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Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
		<i>serve the proposed development, the city shall consider and implement other feasible land use and development mitigation measures, including, but not limited to, reduction of residential densities or imposition of controlled phasing of development until adequate school facilities are available; and,</i> vi) <i>Require developers to meet with school districts in order to negotiate Impact Mitigation Agreements concerning the impact of that developer's residential project upon the school district.</i>	

4.8 Transportation and Circulation

4.8-1	Growth projected under the General Plan would significantly increase traffic within the City over existing conditions. This is considered to be a <i>significant impact</i> .	S	4.8-1(a) Implementation of Circulation Element policies C-1.1d through C-1.2g, C-1.4c, C-1.5a, C-2.1a through C-3.1b, C-3.1d, C-3.2a through C-3.2d, and C-5.1a through C-5.1c, involve methods of reducing peak hour traffic flows on local road segments and intersections. Implementation of these policies would reduce traffic impacts to a less than-significant level.	LS
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S = Significant
LS = Less Than Significant

SU = Significant Unavoidable
PS = Potentially Significant

B = Beneficial
N/A = Not Applicable

**TABLE 3-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
4.9-1 New development in Murrieta that would occur as a result of the proposed General Plan would increase PM₁₀ (fugitive dust), ROC, NO_x, and CO emissions as a result of construction related activities. This is a short-term significant impact.	S	4.8-1(b) A policy should be added to the General Plan stating that driveway access standards for each roadway classification be developed and that access to State Route 79 and major arterials be limited between intersections to maximize efficient traffic flow. Adjacent property owners should be encouraged to share driveway access across property lines whenever feasible. <i>Implementation of these mitigation measures would reduce traffic impacts to a less-than-significant-level.</i>	LS
4.9-2 Traffic generated by new development allowed under the General Plan could	PS	4.9-1 Implement policies AQ-7.1a, AQ-7.1b, AQ-7.1d and AQ-2.1b would reduce this impact. These policies would reduce air quality impacts from construction by utilizing land use and zoning practices and construction scheduling to reduce dust emissions. The policies also require adoption of incentives, regulations or procedures to reduce particulate matter and fugitive dust from construction related activities. 4.9-2 Implementation of General Plan policies AQ-1.1d and e, AQ-2.1d, AQ-3.1a and d, AQ-4.1,	LS

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TABLE 3-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
	cause fifty-four intersections in the city of Murrieta to exceed SCAQMD standards for localized one-hour and eight-hour CO concentrations. This is a <i>potentially significant impact</i> .		and AQ-5.1 which provide for mitigation of project level impacts, participation in regional Congestion Management Plans, and measures to reduce Vehicle Miles Traveled will reduce this impact to a less-than-significant level.	
4.9-3	Increases of criteria air pollutant emissions associated with electricity and natural gas use and vehicular traffic would degrade regional air quality, potentially delaying attainment of AQMP and AQIP. This is a <i>significant impact</i> .	S	4.9-3 Implementation of Air Quality Element Policies AQ-1.1 through AQ-8.1 would reduce this impact to a less-than-significant level and assist in the attainment of regional goals for air quality.	LS
4.10 Noise				
4.10-1	The General Plan would substantially increase traffic-generated noise at various locations in the City. This is a <i>significant impact</i> .	S	4.10-1 Implementation of Noise Element policies N-1.1a, N-1.1c through N-1.2e, N-2.1a through N-2.1g, and N-3.1b would reduce noise impacts to less-than-significant levels. These policies would reduce noise impacts through the use of various noise attenuation techniques, modified construction schedules, and zoning procedures.	LS
4.10-2	New development allowed under the General Plan would increase construction activities in the City. This increase would	S	4.10-2 Implementation of Noise Element policies N-1.1b and N-3.1a, which list such methods as: Temporary noise attenuation barriers;	LS

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**TABLE 3-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES**

Impact		Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
	result in an increase in noise impacts during the construction phase. This is a <i>significant short-term impact</i> .		<i>Preferential location of equipment; and Use of current technology and noise suppression equipment, would reduce short-term impacts from construction to less-than-significant levels.</i>	
4.10-3	The General Plan would allow changes in existing land use patterns. This change may create incompatible noise/land use relationships for existing and new developments. This is a <i>potentially significant impact</i> .	PS	4.10-3 <i>Implementation of Noise Element policies N-1.1a through N-1.2e, N-2.1a through N-2.1g and N-3.1b as summarized in this section would reduce this impact to a less-than-significant level.</i>	LS
<u>4.11 Health and Public Safety (Risk of Upset)</u>				
4.11-1	Future development allowed under the proposed General Plan may expose residents to hazardous materials being transported or used in adjacent industrial and commercial operations. This is considered a <i>significant impact</i> .	S	4.11-1 <i>Implement proposed policies S-10.1a through S-10.3b which provide for coordination with the Riverside County Health Department in the management and regulation of hazardous substances, and, control of transportation routes for hazardous materials through the City. These and other policies in the proposed Safety Element of the Murrieta General Plan would reduce this impact to a less-than-significant level.</i>	
4.11-2	Development as proposed under the Plan would increase the demand for emergency	PS	4.11-2 <i>Implementation of proposed policies S-8.1a through S-8.1d, specifying continued updates</i>	LS

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TABLE 3-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
	services. This is a <i>potentially significant impact</i> .		to the City of Murrieta Multi-Functional Hazard Plan and expansion of emergency preparedness and disaster response programs reduce this impact to a less-than-significant level.	
4.11-3	Future development within the General Plan area could expose residents to serious hazards due to the high potential for large scale wildland fires. This is considered a <i>significant impact</i> .	S	4.11-3 Implementation of proposed policies S-6.1d through S-6.1n which specify maintenance and strengthening of review procedures for high fire hazard areas and other relevant requirements related to fire protection and prevention reduce this impact to a less-than-significant level.	LS
4.11-4	Future development within the study area could be subject to potential crash hazards associated with French Valley Airport operations. This is a <i>potentially significant impact</i> .	PS	4.11-4 Implementation of proposed policies S-9.1a through S-9.1c and S-8.1a through S-8.1d stressing compliance with the FVALUP would reduce this impact to a less-than-significant level.	LS
4.12 Aesthetics/Views				
4.12-1	New development occurring under the proposed General Plan will replace natural open space and vacant land altering views and potentially degrading the visual quality of the City. This is a <i>significant impact</i> .	S	4.12-1(a) The City shall conduct a study to identify and map significant ridgelines, knolls, canyons and other topographic features that warrant preservation.	LS

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**TABLE 3-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
		4.12-1(b) <i>Include a policy in the Conservation and Open Space Elements replacing or modifying policy COS-3.2c that states that the City shall designate a Hillside Overlay Zone or District and adopt an ordinance or guidelines to regulate development and grading in hillside areas. At a minimum the ordinance/guidelines shall provide grading, landscape, and building regulations and special review procedures, as well as identifying areas for preservation.</i> 4.12-1(c) <i>Until the time that guidelines, ordinances and plans are developed to protect hillsides, ridgelines, creeks, historic districts and scenic highways or roadways, interim procedures shall be put in place to ensure that proposals potentially affecting these areas are thoroughly reviewed and conditioned to eliminate significant impacts.</i>	
4.13 Light and Glare			
4.13-1 Development occurring under the proposed General Plan would increase light and	S	4.13-1 (a) <i>The City Lighting Ordinance shall be amended to specify that new development and capital improvement projects that</i>	LS

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**TABLE 3-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
glare in the City. This is a <i>significant impact</i>.		<i>include street lighting be required to use low-pressure sodium (LPS) street lights.</i>	
<u>4.14 Cultural Resources</u>		4.13-1(b) <i>Land Use and Open Space and Conservation Element policies summarized in this section and compliance with the ordinance established for the Mount Palomar Observatory in conjunction with mitigation measure 4.13-1(a) would reduce impacts due to light and glare to a less-than-significant level.</i>	
4.14-1 Future development occurring under the proposed General Plan has the potential to adversely affect historic sites and structures in the General Plan Study Area. This is a <i>significant impact</i>.	S	4.14-1 <i>Implementation of Conservation and Open Space Element Policies COS-5.2a through e, and g, pertaining to preservations of historic sites would reduce this impact to a less-than-significant impact.</i>	LS
4.14-2 Development occurring under the proposed General Plan has the potential to disturb archaeological resources. This is a <i>significant impact</i>.	S	4.14-2 <i>Implementation of Conservation and Open Space Element Policies COS-5.2j, COS-5.2l, and COS-5.2n providing procedures for protection of archaeological resources through the environmental review process, would reduce this impact to a less-than-significant level</i>	

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TABLE 3-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Impact		Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
4.14-3	Development occurring under the proposed General Plan could result in disturbance or destruction of paleontologic resources. This is a <i>significant impact</i> .	S	4.14-3 Implementation of Conservation and Open Space Element Policy COS-5.2m, and COS-5.2n specifying the need for mitigation programs for projects involving grading in High and Undetermined Sensitivity areas (as shown in the MEA), would reduce this impact to a less-than-significant level.	LS

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4. COMMENTS AND RESPONSES

4. COMMENTS AND RESPONSES

4.1 INTRODUCTION

Comments and Responses

During the 45-day public circulation period for the Draft Murrieta General Plan EIR (which extended from December, 20, 1993 to February 2, 1994) 23 letters were received from public agencies, local interest groups and citizens commenting on the document. Each letter has been divided into comments, and each comment has been given a number.

Comments are coded by an abbreviation of the name of the commenting agency or individual followed by a number. For example, the first comment from the California Institute of Technology would be identified as CALTECH - 1. Responses corresponding to the numbered comments follow each of the letters. Where responses to comments have resulted in changes to the EIR, the changes are shown or referenced within the response. All of the changes to the EIR document shown or referenced in the response to comments are summarized in Chapter 5.

<u>Letter No.</u>	<u>Commenting Agency</u>	<u>Comment Code</u>
1.	California Institute of Technology	CALTECH
2.	California Department of Conservation, Div. of Mines and Geology	DOC#1
3.	California Department of Conservation, Div. of Mines and Geology	DOC#2
4.	California Department of Transportation, District 8	DOT
5.	City of Temecula, Planning	TP
6.	County of Riverside, Transportation Department	RCTD
7.	Elsinore Valley Municipal Water District	EVMWD
8.	E-M-A/RCD	EMA
9.	Menifee Union School District	MUSD
10.	Murrieta Valley Unified School District	MVUSD
11.	Riverside County Flood Control and Water Conservation District	RCFCD
12.	Riverside County Habitat Conservation Agency	RCHCA
13.	San Bernardino County Museum, Earth Sciences	SBCM
<u>Local Residents and Interest Groups</u>		
14.	Berger, Ruthanne Taylor	RTB
15.	Boyer, Stephen	SB
16.	Boyer, Stephen	SB
17.	Friends of the Alamos District	FOAD
18.	Haley, Patrick C.	PH
19.	Johnson, Raymond	RJ
20.	Kahn, Elliot	EK
21.	Luce, Forward, Hamilton & Scripps	LFH&S
22.	Mitchell, Steve & Gring, Katherine	M&G
23.	Planey, Ruth	RP

LETTER #1

CALIFORNIA INSTITUTE OF TECHNOLOGY

OFFICE OF THE DIRECTOR PALOMAR OBSERVATORY 105-24

January 11, 1994

Mr. Stephen G. Harding
Planning Director
City of Murrieta
26442 Beckman Court
Murrieta, California 92562

Dear Mr. Harding:

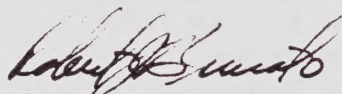
Thank you for providing us with a copy of the draft EIR for the Murrieta General Plan. We appreciate the attention devoted to the subject of light and glare, especially as it affects the Palomar Observatory.

We support the proposal to adopt the provisions of Riverside County Ordinance 655 as a means of mitigating the effects of light pollution, but we need to point out that it only pertains to private lighting. Street lighting, which is normally covered by a separate policy, is not included.

Therefore, we request that the City of Murrieta also adopt the County policy calling for the use of low-pressure sodium (LPS) street lighting. LPS lights provide good roadway lighting, are the most energy-efficient type of light available and have absolutely no adverse impact on the observatory.

If you require additional information, please contact me at 818-395-4033.

Sincerely yours,



Robert J. Brucato
Assistant Director

RJB:pc

cc: Hall Daily

File: LP/Murrieta
Ref: LANDUSE/MUR94-01

CALTECH-

CALTECH-

LETTER 1 - CALIFORNIA INSTITUTE OF TECHNOLOGY (January 11, 1994)

CALTECH-1 Comment Noted.

CALTECH-2 The Draft EIR is hereby amended to include the following mitigation measure to address light pollution that could adversely affect the Palomar Observatory:

The City Lighting Ordinance shall be amended to specify that new development and capital improvement projects that include street lighting be required to use low-pressure sodium (LPS) street lights.

DEPARTMENT OF CONSERVATION
DIVISION OF MINES AND GEOLOGY
BAY AREA REGIONAL OFFICE
185 Berry Street, Suite 3600
San Francisco, CA 94107
Phone (415) 904-7707
ATSS 539-7707
Fax (415) 904-7715

LETTER #2



January 10, 1994

Fred Buss
Assistant Director
Advanced Planning
City of Murrieta
26442 Beckman Court
Murrieta, CA 92562

Dear Mr. Buss:

This is to acknowledge the Murrieta General Plan Draft EIR which was sent to me for review. I am forwarding this EIR review to Roger Martin who handles EIR reviews. Future EIRs should be sent to the attention of Roger Martin, Senior Geologist, California Division of Mines and Geology, 801 K Street, Sacramento, CA 94815.

DOC#1

Please continue sending geologic reports required under the Alquist-Priolo Earthquake Fault Zoning Act (formerly the Alquist-Priolo Special Studies Zones Act) to me at our San Francisco office. However, note that we have moved from 1145 Market Street to 185 Berry Street, Suite 3600.

Sincerely,

Earl W. Hart

EARL W. HART
Senior Geologist

EWH:ra
cc: Roger Martin (w/ Draft EIR)

LETTER #3

State of California

THE RESOURCES AGENCY OF CALIFORNIA

MEMORANDUM

To: Mr. Douglas P. Wheeler
Secretary for Resources

Date: January 20, 1994

Mr. Steve Harding
City of Murrieta
26442 Beckman Court
Murrieta, CA 92562

2-3-94
EIR

From: Department of Conservation
Office of Governmental and Environmental Relations

Subject: Draft Environmental Impact Report (DEIR) for the Draft
Murrieta General Plan, SCH# 92072047

The Department of Conservation's Division of Mines and Geology (DMG) has reviewed the DEIR for the City of Murrieta's first General Plan. DMG has special expertise in evaluating geologic/ seismic hazards and mineral resource issues and our comments here are intended to provide constructive advice to improve the Safety Element portion of the General Plan in accordance with Government Code Section 65302(g).

We offer the following specific comments:

- Severity of Earthquake Shaking. On page 4.2-2 of the DEIR is the statement "The most likely source of strong ground motion in the region would be a major earthquake on the San Andreas fault, the main trace of which is about 50 miles northeast of the City." A great deal of attention in California is focused on the San Andreas fault and the anticipated great earthquake predicted by scientists. However, DMG cautions that for planning purposes, communities cannot overlook the greater probability of smaller magnitude earthquakes occurring on lesser known, nearby faults. These close proximity earthquakes may produce locally more violent and destructive ground motions than a great earthquake on the more distant San Andreas.

DOC#2-1

As examples, we point out the relatively recent destructive quakes near Long Beach (1933) Bakersfield (1952), San Fernando (1971), Coalinga (1983), Morgan Hill (1984), Whittier (1989), Petrolia and Ferndale (1992), Landers (1993), and Northridge (1994). These and many other potentially destructive earthquakes in California have occurred since the last great earthquake on the San Andreas (1906).

DOC#2-2

- Safety Element Policies. The policies presented in the DEIR appear to propose appropriate mitigation measures for the geologic hazards. Some of the policies refer to future actions, and might properly be titled "goals"; these include Policies S-1.1h, S-4.1B, S-2.1b, S-2.1c, and S-2.1d.

Mr. Douglas P. Wheeler
Mr. Steve Harding
January 20, 1994
Page 2

- Location of Geohazard Areas. The verbal description of liquefaction prone areas (DEIR page 4.2-7) is unclear, and those for landslide and subsidence potential would benefit if a better map were provided. Reference is made to figures in the City of Murrieta MEA. If the MEA contains maps showing location of potential geologically unstable zones, they would, if included in the Safety Element, substantially enhance its value. A useful and meaningful safety element should contain if possible, one or more geologic hazard maps at a scale suitable to locate individual lots.

DOC#

We hope the above comments may be helpful to you in completing the City of Murrieta's General Plan. The comments are limited in scope because the DEIR is necessarily brief. We look forward to receiving a draft copy of the new Safety Element, and we would also be pleased to review the associated MEA with the draft Safety Element.

DOC#

If you have any questions regarding these comments, please contact Roger Martin, Division of Mines and Geology Environmental Review Project Manager, at (916) 322-2562.



Deborah L. Herrmann
Environmental Program Coordinator

cc: Roger Martin, Division of Mines and Geology

LETTER 2 - CALIFORNIA DEPARTMENT OF CONSERVATION (January 10, 1994)

DOC#1-1 Comment noted.

LETTER 3 - CALIFORNIA DEPARTMENT OF CONSERVATION (January 20, 1994)

DOC#2-1 Comment noted.

DOC#2-2 Comment noted.

DOC#2-3 Comment noted. As referenced, the MEA contains maps of known geologic hazards within the study area. In order to avoid duplication of information these maps are incorporated by reference and are available at the City of Murrieta Planning Department. Pertaining to the Safety Element, several geologic hazard maps are included in the document, although at the time the Draft EIR was prepared mapping at the parcel level was not available.

DOC#2-4 A draft copy of the Safety Element has been sent to your agency and comments have been received. Thank you for your interest.

Memorandum

To : MR. MARK GOSS
State Clearinghouse
Office of Planning & Research
1400 10th Street
Sacramento, CA 95814

Date : February 1, 1994

File No.: 08-Riv-15-10.5

SCH# 92072047

From : DEPARTMENT OF TRANSPORTATION
District 8

Subject: Draft Environmental Impact Report for the Murrieta General Plan

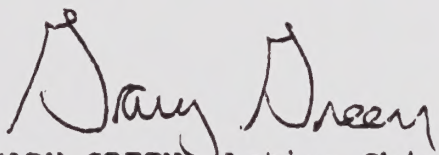
We have reviewed the above-referenced document and request consideration of the following comments:

- A Project Study Report (PSR) is required for the construction of new interchanges and improvements to existing interchanges. We recommend that the City begin coordination with Caltrans during the preliminary planning stages of project development. For all matters relating to interchange construction, please contact:

Manuel Jabson
Project Studies
Department of Transportation
P. O. Box 231
San Bernardino, CA 92402

- Regarding Policy C-1.2e, driveway access to State Route 79 should be limited between intersections to maximize the efficient progression of traffic. We encourage adjacent property owners to share driveway access across property lines.

If you have any questions, please contact La Keda Johnson at (909) 383-5929 or FAX (909) 383-5936.


GARY GREEN, Acting Chief
Transportation Planning
Riverside Coordination
Branch

LKJ:cl

LETTER 4 - CALIFORNIA DEPARTMENT OF TRANSPORTATION, DISTRICT 8
(February 1, 1994)

DOT-1 Comment Noted.

DOT-2 To help maximize the efficient movement of traffic as the City develops, the Draft EIR is hereby amended to include the following mitigation measure:

A policy shall be added to the General Plan stating that driveway access standards for each roadway classification be developed and that access to State Route 79 and major arterials be limited between intersections to maximize efficient traffic flow. Adjacent property owners should be encouraged to share driveway access across property lines whenever feasible.



LETTER #5

City of Temecula

43174 Business Park Drive • Temecula, California 92590

J. Sal Muñoz
Mayor

Ron Roberts
Mayor Pro Tem

Ronald J. Parks
Councilmember

Jeff Stone
Councilmember

Patricia H. Birdsall
Councilmember

David F. Dixon
City Manager

(909) 694-1989
FAX (909) 694-1999

January 31, 1994

Steve Harding, Planning Director
City of Murrieta
26442 Beckman Court
Murrieta, CA 92562

Dear Steve:

Thank you for the opportunity to review and comment on the Draft Environmental Impact Report (EIR) for Murrieta's General Plan. Like the City of Murrieta, the City of Temecula is also concerned about maintaining the high quality of life we enjoy in this Valley. We have reviewed the Draft and have the following comments:

1. Hydrology - The continued urbanization of the tributary areas of Murrieta Creek will result in increased flood flows to the City of Temecula. The EIR does not address the impacts of these increased flows and does not adequately address, or mitigate, these significant adverse impacts. TP-1
2. Aesthetics and Open Spaces - A significant part of the high quality of life in the Temecula Valley is the rural image. This rural image results from being surrounded by undeveloped and unscarred hills. The EIR does not address, or mitigate, the impact of allowing developing on the surrounding hills. The EIR should address and mitigate this significant issue. TP-2
3. Circulation - According to the traffic study, traffic volumes on many of the major roads which connect to the City of Temecula will be significantly increased. For example, the traffic volumes on Date Street at Interstate 15 and Margarita Road will both increase over 100 percent. The EIR should address, and attempt to mitigate, these areawide circulation impacts. TP-3

Thank you again for the opportunity to review the Draft EIR. If you have any questions concerning our comments, please contact John Meyer, at 694-6400.

Sincerely,

Gary Thornhill
Director of Planning

LETTER 5 - CITY OF TEMECULA, PLANNING (January 31, 1994)

TP-1 Impact 4.3-1 on page 4.3-7 of the Hydrology and Water Quality Section of the Draft EIR states that increased surface flow in the City could exacerbate flood conditions and degrade water resources. This impact is fully addressed and mitigated by a number of policies proposed for the General Plan. Of the 17 policies listed in the Draft EIR on pages 4.3-5 and 4.3-6 that address water resources, the following 7 policies specifically mitigate the potential for impacts related to flooding:

Policy S-2.1a:

Cooperate with the Riverside County Flood Control District and Water Conservation District in evaluating the effectiveness of existing flood control systems in the City and adjacent jurisdictions and improve and expand these systems as necessary to ensure that there is adequate capacity to protect existing and proposed development from stormwater runoff and flooding.

Policy S-2.1b:

Identify natural drainage courses and designate drainage easements as required to allow for construction of drainage facilities (if needed to protect the health, safety, and welfare of the community) and/or to preserve natural drainage courses.

Policy S-2.1c:

Actively participate in and strongly promote timely completion of regional drainage plans and improvement projects which effect the City.

Policy S-2.1e:

All new development, including filling, grading and construction, proposed within designated floodplains, shall require the submission of a study prepared by a qualified hydrologist or engineer that determines whether the development would significantly increase flood hazard. The study shall provide specific mitigation measures that indicate how flood hazards would be eliminated or reduced to a less-than-significant level.

Policy S-2.1f:

All new construction within the 100 year floodplain shall be flood-proofed, preferably with building pads above 100-year flood levels designed to allow unrestricted flow of floodwaters.

Policy S-2.1g:

If any fill is placed in floodplain areas, adequate channel capacities or floodplain storage area must be provided for flood waters to off-set displacement of floodplain storage.

Policy S-2.1h:

Surface water run-off from new development shall be controlled by on-site measures including but not limited to the following:

- Structural controls;
- Restricting changes in topography;
- Limiting removal of vegetation and areas of impervious surfaces.

It should also be pointed out that in addition to these policies more specific mitigation will be applied as new projects are proposed and evaluated as part of the City's environmental review and approval process.

TP-2 The EIR addresses the impact of allowing development on hillsides in an expanded discussion on pages 4.12-12 through 4.12-14 in the Aesthetics/Views section. Following the discussion, these mitigation measures are provided to help ensure that future development does not significantly impact the City's significant hillsides and ridgelines:

4.12-1(a) *The City shall conduct a study to identify and map significant ridgelines, knolls, canyons and other topographic features that warrant preservation.*

4.12-1(b) *Include a policy in the Conservation and Open Space Elements replacing or modifying policy COS-3.2c that states that the City shall designate a Hillside Overlay Zone or District and adopt an ordinance or guidelines to regulate development and grading in hillside areas. At a minimum the ordinance/guidelines shall provide grading, landscape, and building regulations and special review procedures, as well as identifying areas for preservation.*

4.12-1(c) *Until the time that guidelines, ordinances and plans are developed to protect hillsides, ridgelines, creeks, historic districts and scenic highways or roadways, interim procedures shall be put in place to ensure that proposals potentially affecting these areas are thoroughly reviewed and conditioned to eliminate significant impacts.*

TP-3 It is acknowledged that traffic volumes on major roadways which connect to the City of Temecula will increase as growth occurs under the proposed General Plan. While the scope of the traffic study does not include a detailed analysis of impacts outside of the City and its sphere of influence, the EIR does provide substantial mitigation for areawide circulation impacts that are appropriate for a general plan level EIR analysis. Areawide circulation impacts are primarily mitigated in the EIR through proposed General Plan policies that ensure compliance with the Riverside County Congestion Management Plan (CMP) and through a program which would establish a city-wide Transportation Demand Management Ordinance.

The traffic volumes on all of the circulation element streets result from traffic generated from "build out" land uses in Murrieta, Temecula and the surrounding county areas.

Traffic volumes on streets near the boundaries between Murrieta and Temecula originate from land uses in both Murrieta and Temecula. The volumes on Date Street are primarily a result of the proposed intense land uses in Temecula in the vicinity of Date as well as to a lesser extent the nearby land uses in Murrieta.

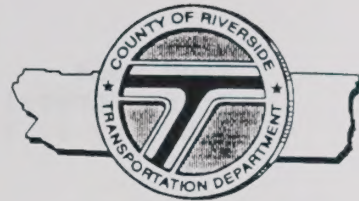
The development of land in both Murrieta and Temecula impacting both cities will be monitored from a traffic impact standpoint on a continuing basis in conformance with the General Plan's policies and those imposed by the Riverside County Transportation Commission (RCTC) through the CMP process.

Murrieta and Temecula staffs have demonstrated, and are interested in maintaining, a close professional relationship in the monitoring and discussion of mutually impacting traffic impacts from proposed land development projects in both cities.



COUNTY OF RIVERSIDE

TRANSPORTATION AND LAND MANAGEMENT AGENCY



Transportation Department

David E. Barnhart

Director of Transportation

MEMORANDUM

PLANNING AND DEVELOPMENT REVIEW DIVISION

February 2, 1994

Mr. Fred Buss
Assistant Planning Director
Advanced Planning
26442 Beckman Court
Murrieta, CA 92562

SUBJECT: Draft General Plan and Draft Environmental Impact Report
(EIR) for the City of Murrieta

Dear Mr. Buss:

The County of Riverside Transportation Department has reviewed the above referenced documents and we have the comments noted below.

The following comments specifically address the Draft General Plan:

1. The statement indicating that the Circulation Plan is providing a system of adequate capacity to support the travel demands is inaccurate. The document on page 28 states that the maximum LOS for peak hour LOS "D." However, the Draft EIR and the City's traffic model show numerous instances where volume/capacity ratios exceed LOS "D" for the preferred land use scenario.
2. The targeted Level of Service (LOS) for the City does not appear until 28 pages into the document.
3. The preferred land use alternative is still indicating a substantial imbalance between productions and attractions occurring within the City limits.
4. There are environmental (topographic) and land use constraints that could make the extension of Zeiders Road from Scott Road to Clinton Keith Road infeasible.
5. The recommendation to make Keller Road at I-215 an interchange would require a deviation from FHWA centerline spacing requirements for an Urban interchange. The City of Murrieta would also have to obtain an urban classification for this area. This classification would also reduce the speed limit to 55 mph.

6. The proposed realignment of Baxter Road is not consistent with the alignment the County accepted with the Southwest District Traffic Model (SDTM).
7. The proposed addition of Golden City Drive is not consistent with the findings and recommendations with the SDTM. Please provide additional information for this facility.
8. There is no mention or recognition of the Transportation Corridor Study for future fixed guideway service that the Riverside County Transportation Department has initiated. This effort should be noted.
9. Figure IV-8 should indicate what the difference is between the different class bike lanes. (See Chapter 1000 of the Caltrans Highway Design Manual, revised July 1993.)
10. In order for the City to use its traffic model to show CMP compliance, it must be found consistent with the regional traffic model in RIVSAN. It should be noted that the City plans to undertake this consistency finding.
11. The bike lanes should tie into the bike lanes identified within the Riverside County Comprehensive General Plan.
12. The City of Murrieta should consult with this Department if potential traffic impacts are likely to occur and subsequent mitigation measures would be required. In that the document addresses issues within the City of Murrieta, potential impacts to the County circulation system would be regional in nature.

The following comments address issues and concerns within the Draft EIR:

13. The document provides information on the existing conditions for the circulation in the City and sphere, such as number of through lanes, intersection controls, average daily traffic, volume to capacity ratios, and intersection service levels. The document also identifies that there will be a significant impact to circulation as the City builds out to General Plan densities.

However, the only information provided for the post 2015 conditions is the road segments operating above LOS "C" and the classification of those road segments. The final General Plan document should include a map of the General Plan circulation system which identifies right-of-way requirements for each of the classifications.

14. The document also states that street standards need to be established. Street standards should be included in either the General Plan or a separate ordinance to be referenced for uniform development of roadways at the same time the General Plan is adopted. If intersections may be required to have additional right-of-way than the road segments these standards should also be developed and included. | RCTD-2
 15. On Figure 4.8-1 -- Nutmeg between Jefferson and Washington is not shown and is a dirt road; Adams from Magnolia to its dead end is dirt; parts of Hayes Avenue are dirt. | RCTD-3
 16. What methodology was used to calculate the LOS. | RCTD-4
 17. Policy C-1.2c, the City should adopt a set of driveway access standards for each facility type to ensure reasonable traffic flow on city arterials. | RCTD-5
 18. Policy C-1.4b, current legislation allowing funds for street widening may be difficult to obtain, therefore, other methods to improve mobility should be considered. | RCTD-6
 19. We recommend that the City of Murrieta consider applying a broad based TDM to all development proposals rather than just targeting non-residential uses. Studies indicate that the majority of trips are made during non-peak hours. | RCTD-7
 20. The document states significant impacts include a degradation of the roadway segment to a LOS of "E" or "F." Is one to assume the LOS is "D"? It is not identified in the text. | RCTD-8
 21. Page 4.8 - 23 under Mitigation Measures 4.81, the measure indicates that if specific policies are implemented, peak hour traffic would not significantly impact the system. In the City's sphere of influence which is under the jurisdiction of the County of Riverside, mitigation would be required for any segment or intersection with a LOS worse than "D." Please indicate that this LOS requirement can be met with the City's policies. | RCTD-9
 22. The final General Plan document should include a map of the General Plan circulation system for the City of Murrieta which identifies right-of-way requirements for each of the road classifications. | RCTD-10
- As indicated above, the potential traffic impacts to the County of Riverside will be regional in nature in terms of the effect upon the circulation system and what the City is proposing to do to mitigate those impacts to County facilities. We do, however, | RCTD-11

Fred Buss
Draft General Plan, DEIR City of Murrieta
February 2, 1994
Page 4

request that the City consult with our Department on any issues affecting, or potentially affecting roads identified in the Circulation section of the Public Facilities and Services Element of the Riverside County Comprehensive General Plan.

We would like to request that we receive a copy of the final General Plan and Final EIR when available for our review and comment.

Should you have questions or require further information or clarification, please do not hesitate to contact Ruthanne Taylor Berger, Senior Transportation Planner at (909) 275-2076, or Sian Roman, Associate Planner at (909) 275-6874.

Sincerely,

Louis C. Gamache
Louis C. Gamache
Transportation Planning Engineer

LCG:RTB:SR:ck

cc: Aleta Laurence
Tek Tanaka
Ed Studor

RCTE-1

LETTER 6 - COUNTY OF RIVERSIDE, TRANSPORTATION DEPARTMENT (February 2, 1994)

- RCTD-1 See Letter 17, response to comment FOAD-27. A policy decision has been made that the Circulation Plan will indicate the general mid-block lane arrangements only. The exact geometric sections will be determined as a supplementary activity to the General Plan process.
- RCTD-2 As stated in RCTD-1, the geometric sections for the various types of streets shown on the circulation plan will be adopted subsequent to the adoption of the General Plan. Special critical intersection geometrics will also be included in the overall geometric determinations after the adoption of the General Plan.
- RCTD-3 Comment noted.
- RCTD-4 The analysis was based on a computerized traffic model developed for the City of Murrieta based on the Southwest District Traffic Model and the North Murrieta Traffic Model which were developed previously by Robert Kahn, John Kain and Associates. The Murrieta Traffic Model includes recent land use and roadway network updates to the area of the model encompassing the adjoining City of Temecula and it's sphere of influence. These updates were provided by Wilbur Smith Associates as part of the City of Temecula General Plan Program. The Murrieta Traffic Model has been used to evaluate buildout travel demand within the City of Murrieta General Plan study area.

The methodology used to calculate the street segment levels of service (LOS) consisted of using various percentage utilization of an assumed street segment capacity (based on 24 hour traffic volumes) to determine the particular LOS. The capacity limitations for the various street geometric sections was based on previous studies performed for the RCTD. The percentage of capacity used to designate the various levels of service (LOS) (A through F) was based on previously used values by the Circulation Plan consultant for other related studies in southern California.

- RCTD-5 See Letter 4, response to comment DOT-2. Driveway access standards per se do not guarantee "reasonable traffic flow on city streets." Rather than to use the "cookie cutter" approach, each individual proposed development project is analyzed in relation to not only its individual access needs, but also the access needs of the individual project of the nearby properties and specific traffic operational needs of the particular street segment and intersections.
- RCTD-6 Comment noted. The proposed General Plan does include funding programs and a variety of measures to improve mobility. The Transportation Facilities Funding Program that is proposed would establish funding sources for future improvements and for implementation of a Local Transportation Management Program and city-wide Transportation System Management (TSM) strategy.

The City recognizes the continuing need and desirability to consider alternatives to the single-occupant-motorized vehicle transportation mode. It is also recognized that only a small fraction of the total trips generated by Circulation Plan analysis area land uses will involve nontraditional mode choice.

Funding for the required street improvements will continue to be a major segment of the circulation plan development efforts.

- RCTD-7 The City will apply appropriate TDM measures for all trip types in concert with its neighbors and to the extent practical recognizing that TDM measures can only be expected to reduce single occupant vehicle usage by a small percent of overall travel.
- RCTD-8 Please see Letter 14, response to comment RTB-4. A policy matter level of service (LOS) "D" and "E" (for peak hour conditions at non-freeway interchange locations and freeway interchange locations respectively) have been adopted as being acceptable in Murrieta. This means that higher (less congestion) (LOS) will prevail at all other times of the day.
- RCTD-9 With the exception of freeway interchanges, which the General Plan specifies for a Level of Service no worse than "E", this requirement can be met. Also see Letter 14, response to comment RTB-4. Maintaining a level of service (LOS) for non-freeway interchange peak hour intersection traffic conditions at the "D" or better level in the City's Sphere of Influence is fully compatible and consistent with the specific and implied policy stated in the Circulation Plan policies.
- RCTD-10 The specific geometric (and right of way) section for the various Circulation Plan streets will be adopted (as a policy issue) outside of and after adoption of the General Plan.
- RCTD-11 The City intends to cooperate fully with the Riverside County Transportation Department on issues affecting or potentially affecting roads in the County's Circulation section of the Public Facilities and Service Element of the Riverside County Comprehensive General Plan.
- RCTD-12 The City will send a Copy of the final General Plan and Final EIR to the RCTD when available.



Elsinore Valley Municipal Water District

P.O. Box 3000
31315 Chaney Street
Lake Elsinore, CA 92531-3000
(909) 674-3146
Fax: (909) 674-9872

January 6, 1994

Mr. Stephen Harding
Planning Director
City of Murrieta
26442 Beckman Court
Murrieta, California 92562

Subject: City of Murrieta General Plan

Dear Mr. Harding:

Thank you for the opportunity to review and comment on the City of Murrieta General Plan. At this time, EVMWD has no comments regarding this project.

Please feel free to contact us any time we may be of assistance.

Sincerely,

A handwritten signature in black ink, appearing to read 'Hank Otway', is written over a faint, larger version of the same signature.

Hank Otway, PE
District Engineer

HO.dg

LETTER 7 - ELSINORE VALLEY MUNICIPAL WATER DISTRICT (January 6, 1994)

EVMWD-4 No comment required.

LETTER #8

TO: City of Murrieta Planning Dept.
Attn. Fred Buss

FROM: E-M-A/RCD
24280 Washington Ave.
Murrieta, CA 92562

Robert D. Wheeler
Ph.D. (Econ.)

President E-M-A/RCD

DATE: February 2, 1994

RE: EIR for City of Murrieta General Plan

With respect to the Hydrology and Water section of the EIR:

Consider the impacts noted under Impact 4.3-1. The mitigation is insufficient. Though some of the BMPs mentioned are headed in the right direction, what is needed is a general requirement for on-site retention of the increase in runoff resulting from development. This general requirement can be made subject to case-by-case exemptions where physically necessary (e.g., no percolation, lot too small, etc. etc.), with provision for moving the water off-site to debris or holding basins, etc. The purpose is to provide a measure of recharge, flood control, erosion control, and water quality improvement, reducing the impact upon principal streams and tributaries and enhancing the aquifers. The "Drainage Plan" referred to relates principally to flood control, and does not address all, or even most, of the issues here.

EMA-1

Impact 4.3-2, relating to grading, can be mitigated substantially by the NPDES Program. Again, that Program is somewhat piecemeal, and does not really attack holistically the multi-issue area of watershed management. Drainage plans and grading plans do not suffice except to the extent that they are integrated into a broader plan of watershed management subject to a consistent set of broad performance standards.

EMA-2

As relates to the "preferred map":

In my professional judgment as an economist, this map is far too dense. I don't believe that most people really have envisioned the impact on both natural and man-made resources of this density. I seriously doubt that most of Murrieta's citizens, realizing the implications, would want to live with these impacts. Our concern as an RCD is, of course, with the impacts on natural resources - water, air, soils, habitat, and open space. However, we cannot fail to recognize the serious impacts on urban infrastructure, police, fire, schools, traffic, parks and recreation, noise, etc. I believe that most Murrietans want economic development, not stacking people in like sardines. As a British Columbia planner recently said of a small rural town outside the city of Vancouver: "If everybody who wanted to go there went there, there would be no there there." We should keep that in mind. A population of about 75,000 for Murrieta will be all the City can take before severe diseconomies of scale set in.

EMA-3

LETTER 8 - E-M-A/RCD (February 2, 1994)

- EMA-1 Comment noted. Policy S-2.1h states that "Surface water runoff from new development shall be controlled by on-site measures including but not limited to the following....". Although the policy could specify additional on-site measures beyond those listed it does, in combination with other proposed General Plan policies, mitigate impacts to what is considered as less-than-significant level. If the City determines that additional policies to address water resources are desirable, the option of providing more general plan level guidance remains open. It should also be stated that project-by-project review conducted with an understanding of site and project specific issues is the point in the development process where drainage issues and mitigation will be more specifically developed.
- EMA-2 Comment noted. It is agreed that erosion and sedimentation impacts will be substantially mitigated by the requirement that projects comply with the National Pollutant Discharge Elimination System (NPDES) program. While it is true that a more aggressive approach to watershed management could be taken by the City, the policies proposed in the General Plan are considered adequate to reduce the identified impact to a less-than-significant level.
- EMA-3 The CEQA process is intended to foster debate and informed decision making that takes into account the views of the public. Your comments are noted and will be considered in the approval process for certification of the Final EIR and approval of the General Plan.

LETTER #9
MENIFEE UNION SCHOOL DISTRICT



Menifee Pride
Working For You

January 21, 1994

30205 Menifee Road, Menifee, California 92584
(909) 672-1851 • FAX (909) 672-1385

Superintendent
Glen C. Newman, Ed.D.

Mr. Stephen G. Harding
Director of Planning and Development
City of Murrieta
26442 Beckman Court
Murrieta, CA 92562

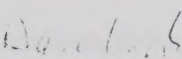
Dear Mr. Harding:

Menifee Union School District (MUSD) desires to respond to the City of Murrieta General Plan Draft EIR and General Plan Draft. MUSD has the following comments:

1. Neither document provides adequate policies to require development to mitigate its impact on public school facilities.
2. MUSD urges that new development fully fund the impact that it imposes upon public school facilities.
3. The policies requested should be mandatory, detailed, and result in denial or suspension of approval of development projects not demonstrating full mitigation of impacts upon public school facilities.
4. The policies should be written and adopted by Murrieta City Council. Unwritten policies, however well intentioned, provide no assurance of continuance should personnel changes occur.
5. MUSD is ready and able to provide documentation to support its costs of providing school facilities and will do so upon request.
6. MUSD is prepared to meet with city officials to explain and document its requirements.
7. MUSD will oppose any annexation of unincorporated areas in the MUSD by Murrieta which does not fully mitigate its impact upon public school facilities.

For further information, please contact Dan Wood at the phone number above.

Sincerely,


Dan Wood
Director of Facilities

DW:bb
cc: LAFCO

LETTER 9 - MENIFEE UNION SCHOOL DISTRICT (January 21, 1994)

MUSD-1 The following language meets the intent of the School Districts request for ensuring adequate school facilities within the bounds of the legal requirements of California. In consideration of all of the school districts potentially impacted by development within the General Plan study area, resolution was reached between the City and the Murrieta Valley Unified School District with this language.

Mitigation Measure

4.7-5(b) *Land Use Element Policy LU-3.3e shall be revised as follows and Policies LU-3.3f and g shall be added to the Land Use Element of the General Plan to reduce impacts on public schools:*

LU-3.3e In order to ensure that adequate school facilities are available when development entitlements are requested, the city shall on an annual basis:

- i) Request that school districts serving the Plan area indicate the level of facilities presently available to serve development requiring discretionary review;*
- ii) Request that school districts serving the Plan area provide a status report of overcrowding of facilities within school district boundaries and identify available classrooms as well as the need for additional adequate school facilities to serve proposed development, status of applications for state funding, eligibility for such funding in relation to authorized state bonds for such funding; and,*
- iii) Request school districts serving the Plan area to provide the city with identification of impacts which are anticipated as a result of proposed development.*

LU-3.3f Recognizing that the provision of adequate school facilities is the responsibility of the State, the school districts, developers, and the City, the City of Murrieta shall:

- i) Coordinate with developers and school districts in the legislative approval process to ensure that school sites are adequately sized, located to meet increases in demand and will be available as needed as part of phasing of development of projects including such school sites. All development proposals of 75 acres or more not within a master plan or specific plan shall be evaluated by the school district and the city for possible inclusion of a ten net usable acre elementary school site;*
- ii) Coordinate efforts for public financing by school districts, the city, or both, to ensure timely availability of adequate school facilities to the extent state funding or other sources are not assured or received by school districts on a timely basis in order to provide school facilities for such developments;*
- iii) Coordinate the planning and location of schools and other related public facilities at the earliest possible stage of the development process;*

- iv) *Coordinate the preparation of development and school services data, projections, needs assessments and available financing therefor, including state funding and efforts to achieve the highest possible priority for such funding for the community.*

LU-3.3g *In the process of considering legislative land use approvals which will or are likely to create additional impacts on a particular school district, the city will:*

- i) *Require that applications for general plan amendments, including changes in land use classifications, development agreements, annexations, public financing and redevelopment proposals, or any other legislative approval, as well as applicable determinations of consistency with the general plan, be carefully evaluated as to timely availability of adequate school facilities and assurance of funding for such school facilities. Any environmental review required by CEQA shall include an analysis of the impact of the development project upon the school district, recognizing that state statutory school fees are not sufficient to provide adequate mitigation;*
- ii) *Require that project analysis include utilizing the school district's most recent Impact Mitigation Study to determine existing capacity, future capacity expansion, current demand, and student generation factors so as to accurately measure project demand on the school districts;*
- iii) *Work with developers and school districts to assist school districts to receive funding for school facilities from all sources including possible state funding and establishing a maximum priority for such funding;*
- iv) *Notify, confer and meet on a periodic regular basis with affected school districts on proposed development applications early in the review process in order to allow for adequate response by school districts. A joint coordinating committee with school districts should be established to meet regularly to consider development proposals submitted to the city and school districts;*
- v) *In considering the approval of general plan amendments, changes in land use classifications, development agreements, annexations and public financing proposals or other legislative acts or applicable determinations of consistency with the general plan, the city shall review said proposals as to timely availability and assurance of funding for timely and adequate school facilities to serve the proposed development. If adequate school facilities will not be available in a timely manner to serve the proposed development, the city shall consider and implement other feasible land use and development mitigation measures, including, but not limited to, reduction of residential densities or imposition of controlled phasing of development until adequate school facilities are available; and,*
- vi) *Require developers to meet with school districts in order to negotiate Impact Mitigation Agreements concerning the impact of that developer's residential project upon the school district.*

Implementation of these mitigation measures would reduce impacts on schools to a less-than-significant level.



CITY OF MURRIETA

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Board of Trustees

Shauna Lyn Briggs
Al Christenson
Austin Linsley
Judy Rosen
Margi WraySuperintendent
Tate Parker, Ed.D.

February 3, 1994

Stephen G. Harding
Planning Director
CITY OF MURRIETA
26442 Beckman Court
Murrieta, CA 92562

RE: City of Murrieta Draft General Plan and Draft EIR

Dear Mr. Harding:

The Murrieta Valley Unified School District ("District") appreciates the opportunity to provide formal written comment on the City of Murrieta ("City") Draft General Plan and the accompanying Draft Environmental Impact Report (DEIR) which have been submitted for public review. The District believes, as does the City, that the first General Plan is an extremely important document; one which will forever shape the way in which our community grows into maturity.

The District believes it has the obligation, as well as the right, to work with the City to develop effective General Plan language that will enable the City to accomplish its goals while protecting the District from continuing to find itself unable to adequately house students generated as the result of new residential development in a timely manner.

The DEIR makes it clear that residential development as allowed under the proposed General Plan would have a significant impact upon the District. According to the DEIR, under the density/intensity standards set forth in the General Plan, up to approximately 38,255 additional residential units would be built within the City's boundaries and sphere of influence. See DEIR pg. 3-5, Section 4.1.-1. The DEIR also specifies the impact that this huge increase in residential development would have on the District. On pg. 4.7-7, under Section 4.7-5, the DEIR states that proposed development under the General Plan would add approximately 29,134 students to the District's enrollment, based on the District's most recent student generation factors. This would increase the District's enrollment over current levels by 410%. The 6,503 new high school students, 5,356 new middle school students, and 20,275 new elementary school students would require the District to construct three (3) new high schools, five (5) new middle schools, and twenty nine (29) new elementary schools.

The DEIR acknowledges that the traditional sources of funding for school facilities have "generally been inadequate." (See pgs. 4.7-2 and 4.7-7) and the DEIR acknowledges that the District is already over or near capacity. See pg. 4.7-2. This is, indeed, an understatement. The District is currently significantly overcrowded and operates out of largely temporary facilities. In fact, the only reason that the District has been able to accommodate the growth which it has already experienced over the last five years is that the District has gone on year-round scheduling and has added a tremendous number of portable classrooms to its already overburdened facilities. The

District enrollment has grown by 278% in the last five years, and currently has 207 portables in place throughout the District.

The bottom line is that the District simply cannot handle any more students without assurances that adequate permanent facilities will be in place. The DEIR does not adequately address the cumulative impacts of development under the General Plan on the District's existing facilities as required by CEQA Guideline 15130. Overcrowding has a severe adverse impact on students and faculty.

While recognizing that the impact of new residential development under the proposed General Plan will have a significant impact on the environment under CEQA (see pg. 3.27), the DEIR erroneously states that this impact will be reduced to a less than significant level by payment of school fees and implementation of Land Use Element Policies LU-3.2a, b, and c, and LU-3.3e. See pg. 4.7-8. In reality, the payment of the State statutory developer fee at \$1.65 per square foot (expected to increase in February to \$1.72 per square foot) would provide for approximately one-fourth of the actual cost of full mitigation necessary to provide adequate permanent facilities for students generated from new development.

The District has already shown its good faith in attempting to handle its own problems by applying for all available State aid, taking a general obligation bond measure to the voters (which was approved in 1989, and the funds used to construct the high school facility) and by taking a bond measure to the voters to approve funding for school facilities under the 1952 Act, which was twice rejected by the voters. Therefore, the District finds itself in a position of needing to construct a substantial number of schools to house almost 30,000 new students and having no funding to do so.

The DEIR states that adoption of Land Use Element Policies LU-3.2a, b, c, and LU-3.3e, along with the payment of school fees will reduce the impact on schools to less than a significant level. The above-referenced Land Use Element Policies are found on pgs. LU-47 and 48 of the draft General Plan. While these policies are an excellent first step and the District sincerely appreciates the willingness of the City to attempt to insure that adequate public facilities, including schools, will be in place at the time residential development occurs, the District believes that the policies alone are inadequate to address school facilities needs.

The District proposes that an additional objective be added to the Land Use Element that specifically addresses school facilities. A draft of the proposed objective and related policies follows. The District is also proposing minor changes or additions in various other portions of the General Plan. Among these, the District is proposing that the term "adequate school facilities" be specifically defined in the Glossary.

Draft Objective and Related Changes for General Plan

(to be added or changed in Draft EIR on pages 4.7-3 and in General Plan on pages LU-21, LU-47, LU-50, H-28, ED-12, GI-2, and GI-13)

Objective LU-3.- Adequate Public School Facilities Adequate public school facilities must be provided to serve new development.



- Policies:** LU-3.-a: No development proposal shall be approved and no building permit issued without written verification from the appropriate school district that the project proponent has reached a mitigation agreement with that school district.
- LU-3.-b: If adequate facilities are not available at the time a legislative approval is sought, the City shall defer the legislative approval until such time as an approved mitigation agreement exists between applicant and school district to provide needed facilities.
- LU-3.-c: The City will coordinate with the school district to assure adequate school facilities and will use the most recent Master Plan and Impact Mitigation Study prepared by the school district.
- LU-3.-d: All development proposals of 75 gross acres or more not within a Master Plan or Specific Plan shall be evaluated by the appropriate school district and the City for the possible inclusion of a 10 net usable acre elementary school site.

Objective LU-5.1 *Public Facilities and Revitalization* Establish and maintain a redevelopment area program in the City of Murrieta to provide needed public facilities (including schools) and revitalization.

Change Table III-3 on page H-28 under "School District Fee" to say \$1.65 per sq. ft. as partial mitigation.

- ED-4.2d: A master plan of infrastructure and related capital improvements shall embody a wide variety of separate improvement and finance plans by reference such as a master plan of Drainage, parks, Recreation master Plans, City Capital Improvement Plan, Redevelopment Project Area Plans, Utility Company Improvement Plans, School District Plans, etc., and clearly identify need for additional improvement, funding, and coordination when the service capacity of referenced plans is not consistent with General Plan growth policy for Murrieta.
- ED-4.2e: Large-scale development projects shall include a financing plan for infrastructure and related capital improvement that is consistent and coordinated with the City and other public agencies' master plans.
- GI-2: *Adequate Public School Facilities*
A permanent school facility, consisting of 30% portables, which contains permanent core facilities including but not limited to classrooms, offices, library, multi-purpose

Stephen G. Harding
February 3, 1994
Page 4

rooms, restrooms, and physical education facilities, all built to Office of Local Assistance standards and which are aesthetically compatible with the surrounding neighborhood.

GI-13: Infrastructure
Public services and facilities, such as sewage-disposal systems, water-supply systems, other utility systems, schools, and roads.

Change Map - Figure 11-9, School District Boundaries and Facilities, on page LU-21 to reflect current boundaries.

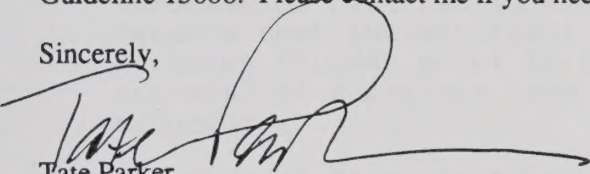
With the inclusion of these modifications to the Land Use Element Policies, the District believes that the school mitigation measure as set forth on pg. 4.7-8 of the draft EIR would be correct if it was revised to state as follows:

School Mitigation Measure

Paragraph 4.7-5 Implementation of Land Use Element; LU-3.____, Adequate Public School Facilities, Policies LU-3.____, a, b, c, d, and the required payment of school fees would reduce impacts on schools to a less than significant level.

Once again, the District appreciates the opportunity to provide these comments and looks forward to working with the City on a successful implementation of the General Plan in a manner which will ensure that schools of which the community can be proud are there to serve students who move in to the City of Murrieta. Please respond to these comments as required by CEQA Guideline 15088. Please contact me if you need additional information.

Sincerely,



Tate Parker
Superintendent

TP:sdb

cc: Board of Education
Ski Harrison
Alice Murphy



LETTER 10 - MURRIETA VALLEY UNIFIED SCHOOL DISTRICT (February 3, 1994)

See Letter 9, response to comment MUSD-1.

LETTER #11

KENNETH L. EDWARDS
GENERAL MANAGER-CHIEF ENGINEER

1995 MARKET STREET
RIVERSIDE, CA 92501-1719
(909) 275-1200
(909) 788-9965 FAX

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

February 9, 1994

CITY OF MURRIETA

City of Murrieta
Planning Department
26442 Beckman Court
Murrieta, CA 92562

FEB 17 1994

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Ladies and Gentlemen:

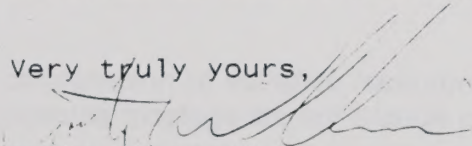
Re: City of Murrieta
General Plan
Draft EIR

The District has reviewed the Draft EIR document and has the following comments:

1. The document adequately addresses the National Pollutant Discharge Elimination System program. **RCFCD-1**
2. While development will increase runoff over the existing condition, the greatest impact is felt during smaller, more frequent storms after long dry periods. During longer duration storms the ground becomes saturated and the incremental increase in runoff is negligible. **RCFCD-2**
3. For development involving Federal Emergency Management Agency (FEMA) mapped flood plains, the City's General Plan should require the developer to provide all studies, calculations, plans and other information required to meet FEMA regulations, and should further require that the applicant obtain a Conditional Letter of Map Revision (CLOMR) prior to grading, recordation or other final approval of a project, and a Letter of Map Revision (LOMR) prior to occupancy. **RCFCD-3**
4. The General Plan should require that if a natural watercourse or mapped flood plain is impacted by a project, then the applicant should obtain a Section 1601/1603 Agreement from the California Department of Fish and Game and a Clean Water Act Section 404 permit from the U.S. Army Corps of Engineers, or written correspondence from these agencies indicating the project is exempt from these requirements. A Clean Water Act Section 401 Water Quality Certification may be required from the local California Regional Water Quality Control Board prior to issuance of the Corps 404 permit. **RCFCD-4**

Questions concerning this matter may be referred to Stuart McKibbin of this office at 909/275-1214.

Very truly yours,


DUSTY WILLIAMS
Senior Civil Engineer

SEM:slj
sm10207a.sub

**LETTER 11 - RIVERSIDE COUNTY FLOOD CONTROL & WATER CONSERVATION
DISTRICT (February 9, 1994)**

RCFCD-1 Comment noted.

RCFCD-2 Comment noted.

RCFCD-3 Comment noted. The Draft EIR has been revised and the includes the following Mitigation Measures:

4.1(a) *Implementation Policies S-2.1b, S-2.1h, S-4.1a, S-4.1b, S-4.1c and S-4.1d. ~~would reduce this impact to a less than significant level.~~ These policies ensure that adequate drainage is provided with new land uses, that future development takes into account existing capacity and infrastructure problems, and that urban runoff from new development is minimized.*

4.1(b) *A policy should be added to the General Plan Safety Element requiring development within Federal Emergency Management Agency (FEMA) mapped flood plains to provide all studies, calculations, plans and other information required to meet FEMA regulations, and that applicants obtain a Conditional Letter of Map Revision (CLOMR) prior to grading, recordation or other final approval of a project as well as a Letter of Map Revision (LOMR) prior to occupancy.*

RCFCD-4 Comment noted. The Draft EIR has been revised to include the following Mitigation Measure:

4.1(c) *A policy should be added to the General Plan Safety Element requiring that applicants for projects that impact a natural watercourse or mapped flood plain obtain a Section 1601/1603 Agreement from the California Department of Fish and Game and a Clean Water Act Section 404 permit from the U.S. Army Corps of Engineers, or written correspondence from these agencies indicating the project is exempt from these requirements.*

Riverside County Habitat Conservation Agency

City of Corona ♦ City of Hemet ♦ City of Lake Elsinore ♦ City of Moreno Valley ♦ City of Perris
City of Riverside ♦ City of Temecula ♦ County of Riverside

January 21, 1994

Mr. Stephen Harding
Director of Planning
City of Murrieta
26442 Beckman Court
Murrieta, CA 92562

SUBJECT: **COMMENTS CONCERNING CITY OF MURRIETA GENERAL PLAN
DRAFT ENVIRONMENTAL IMPACT REPORT**

Dear Mr. Harding,

I have reviewed the General Plan Draft Environmental Impact Report ("DEIR") and offer the following comments on behalf of the Riverside County Habitat Conservation Agency ("RCHCA"):

Section 4.4 Biological Resources

1. On Table 4.4-1 please note that California Orcutt grass *Orcuttia Californica* was recently listed as an endangered species by the U.S. Fish and Wildlife Service;

RCHCA

2. The first paragraph of Page 4.4-15 states that the Murrieta General Plan is within the Stephens' Kangaroo Rat Habitat Conservation Plan ("HCP") area. This is incorrect; since the City of Murrieta is not a member of the RCHCA, the HCP has no effect on land within its municipal boundaries. Thus, the Stephens' kangaroo rat ("SKR") mitigation fee requirement imposed within RCHCA member agency jurisdictions does not apply to the City.

RCHCA

That paragraph also states that none of the known SKR occupied habitat is found within the Murrieta General Plan area. However, Figure 4.4-1 shows two locations of SKR occupied habitat within that area. Other locations of SKR occupied habitat within the General Plan area are known as well; the DEIR should be modified to reflect current information concerning SKR distribution;

3. The General Plan Goal COS-2, Objective COS 2.1, and related policies reflect a commendable level of concern for the conservation of biological resources. Implementation of Policy COS-2.1g could be facilitated through participation in the RCHCA's SKR HCP;

RCHCA

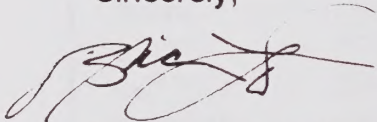
4. As you know, policies requiring on-site conservation of sensitive resources for individual projects have the potential to produce "postage stamp" islands of

unconnected habitat having little biological value. I would respectfully suggest that such policies, as reflected in Mitigation Measure 4.4-1(a), would produce the most effective results if guided by a City-wide or regional resource conservation plan;

5. Mitigation Measure 4.4-4 details an excellent approach to the assessment of biological resources for individual projects. Given the proclivity of SKR to recolonize previously graded and disturbed land, it would not be safe to assume that such areas do not need biological field inspections. In fact the RCHCA has often found evidence of SKR on recently graded properties; such land seems to provide favorable conditions for this burrowing species;
6. The discussion of Impact 4.4-5 on page 4.4-28 erroneously states that the General Plan is within the SKR HCP fee area;
7. Mitigation Measure 4.4-5(a) states that "The City of Murrieta shall require all project proponents proposing development in SKR habitat to participate in the Stephens' Kangaroo Rat Habitat Conservation Plan unless the City is a member of the Habitat Conservation Agency." Please note that under current RCHCA procedures, properties located in non-RCHCA member jurisdictions cannot participate in the HCP (i.e., receive the benefits of SKR incidental take permits). In order for individuals to participate in the HCP the jurisdiction within which their property is located must be a member of the RCHCA.

The RCHCA appreciates the opportunity to comment on the General Plan DEIR. If you have any questions concerning these comments please contact me at 275-1100.

Sincerely,



Brian Loew, AICP
Executive Director
Riverside County Habitat Conservation Agency

LETTER 12 - RIVERSIDE COUNTY HABITAT CONSERVATION AGENCY (January 21, 1994)

RCHCA-1 Table 4.4-1 has been modified in the Final EIR to indicate that California Orcutt grass is listed as an endangered species.

RCHCA-2 Comment noted. The statement in the Draft EIR that the City is within the Habitat Conservation Plan fee area was incorrect. This statement has been deleted in the Final EIR. The discussion has been revised in the Final EIR to clarify that the City is not within the HCP areas and that there have been occurrences of the species within the study area.

RCHCA-3 Comment noted.

RCHCA-4 The following Mitigation measure has been included in the Final EIR:

4.4-5(b) *The City of Murrieta shall pursue joining the Riverside County Habitat Conservation Agency (HCA).*

RCHCA-5 Mitigation Measure 4.4-4 has been changed in the Final EIR as follows:

Mitigation Measures

4.4-4 *All new project submittals shall be reviewed for their potential environmental impact to biotic resources. Unless a determination is otherwise made by the Planning Department, Any new projects on vacant land shall have a preliminary "walk-over" field inspection performed by a qualified biologist. For any site that has been previously graded or otherwise disturbed, a field inspection may not be necessary. The determination on whether or not a field inspection is required will be made by the Planning Department on a case by case basis.*

As a result of the qualified biologist's preliminary field inspection, he/she will recommend one of three possible courses of action. They are as follows: ...

RCHCA-6 Comment noted. All references to the City being located within the HCP area have been deleted from the Final EIR.

RCHCA-7 Mitigation Measure 4.4-5(a) has been revised in the Final EIR as follows:

4.4-5(a) *The City of Murrieta shall require all project proponents proposing development in SKR habitat areas to participate in "Section 7" consultation with the U.S. Fish and Wildlife Service. the Stephens' Kangaroo Rat Habitat Conservation Plan unless the City is a member of the Habitat Conservation Agency (HCA). If the City is a member of the HCA, the rules and procedures of the HCA shall apply. Both procedures could This plan will allow incidental take under section 10(a) of the Endangered Species Act. Issuance of a the 10(a) permit would enable the City to issue development permits resulting in the "incidental take" of SKR, where take is defined as any activity that would harm, kill, harass, or endanger SKR in the course of construction.*

SAN BERNARDINO COUNTY MUSEUM

2024 Orange Tree Lane • Redlands, CA 92374 • (909) 798-8570

COUNTY OF SAN BERNARDINO
GENERAL SERVICES GROUPDR. ALLAN D. GRIESEMER
Director

26 December 1993

Fred Buss, Senior Planner
City of Murrieta, Planning Department
26442 Beckman Court
City of Murrieta, CA 92562

Dear Mr. Buss:

The Murrieta General Plan Draft Environmental Impact Report (SCH#92072047) adequately addresses potential impacts to significant non-renewable paleontologic resources. The portion of the plan that I reviewed, however, does not contain guidelines for a standard paleontologic resource impact mitigation program. These guidelines are in use in Riverside and San Bernardino Counties and could easily be adopted by the City of Murrieta. If you or other planners are interested in a discussion of such guidelines, I would be happy to meet with you regarding that matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Robert E. Reynolds".

Robert E. Reynolds
Curator, Earth Sciences

CITY OF MURRIETA

DEC 29 1993
RECEIVED
ENGINEERING DEPT

LETTER 13 - SAN BERNARDINO COUNTY MUSEUM, EARTH SCIENCES (December 26, 1993)

SBCM-1 Comment noted.

[Faint, illegible text, likely a signature or stamp]

LETTER #14

Mr. Fred Buss, Assistant Director of Planning
City of Murrieta Planning Department
26442 Beckman Ct.
Murrieta, Ca. 92562

Re: Draft General Plan & Draft EIR

Dear Mr. Buss,

Thank you for the opportunity to review and comment on the above referenced documents. I have the following comments:

1. I appreciate the difficult task of trying to balance land use with traffic productions and attractions but there still appears to be rather substantial imbalances between productions and attractions. Moreover it appears that the higher trip attractors were taken out and merely substitute for lower nonresidential generators. I notice that there are now almost 900 acres of Industrial Land use which typically are low traffic generators. Is Murrieta's Zoning Ordinance for Industrial consistent with the trip making characteristics in Insistue of Traffic Engineers Trip Generation? If they are not then the imbalance will be even greater than what is shown now.
2. Is it reasonable to assume that a city the size of our can support and draw so much Industrial uses as the plan indicates?
3. Why isn't Hayes Ave shown on the Circulation Plan. Hayes is a likely parallel route to Washington and Jefferson. If added to the plan potentially one or both of the other facilities could be down-sized. Hayes Ave as some type of Parkway facility could provide a buffer to the large lot residential developments to the west. Hayes does not need to cross Murrieta Creek several times to provide much need circulation to the west.
4. What is the level of service proposed by the City? there is no clear indication of what is being recommended.
5. The bike lanes proposed for the city do not appear to have much connectivity. More thought should be given to linking activity centers together.

Sincerely,

Ruthanne Taylor Berger

Ruthanne Taylor Berger
23736 Ballestros Rd
Murrieta, Ca. 92562

P.S. please excuse the terrible typing - but it's easier to read than my handwriting. *RTB*

LETTER 14 - BERGER, RUTHANNE TAYLOR

RTB-1 Comment noted. Independent of the environmental review process, public input and the efforts of a General Plan Advisory Committee established the mix of land uses analyzed in the EIR. As part of the public hearing process before the Planning Commission and the City Council, the mix of land uses proposed for the General Plan may be reconsidered.

The trip generation factors applied to all land use categories are in general agreement with the trip generation values as published by the Institute of Transportation Engineers. The General Plan Circulation element discussions recognize the regional (i.e. total study area) imbalance between trip productions and attractions. The imbalances within the Murrieta General Plan area have been publicly acknowledged and debated. It is recognized that the actual development of the City will be highly influenced not only by the General Plan but also by market forces which will prevent actual trip attraction from out numbering trip productions as they do today.

RTB-2 Refer to previous comment. A market analysis was conducted as part of the plan development process that looked at the economic implications of different land use alternatives. The actual amount of industrial designated land that is developed will be primarily a function of the free market system, not on the General Plan land use designation. It is recognized that certain industrial designated areas may remain vacant for undetermined years into the future based on the actual "free market" absorption rate.

RTB-3 The utilization of Hayes Avenue as a circulation plan street was the subject of intense public debate and consideration. Many non-transportation related considerations were involved, (as is required) in the development of the Circulation Plan. It is emphasized that the possible utilization of Hayes Avenue as a circulation plan street was thoroughly and specifically considered in these public considerations of the Circulation Plan. It must be remembered that the traffic carrying characteristic of a particular facility is important but not necessarily the deciding criteria for including a particular street in the Circulation Plan. Compatibility with adjoining land uses is also a key element that was considered.

RTB-4 The level of service adopted for the Circulation Plan is "D" at non-freeway interchange locations and "E" at freeway interchanges.

RTB-5 The bike lane connectivity to activity centers question has been noted and considered.

LETTER #15

January 8, 1993

Stephen Boyer
25205 Via Las Lomas
Murrieta, CA. 92562
909-677-4472

To: Murrieta Traffic Commissioners

Re: General Plan and Environmental Impact Report

Now that you have had a chance to read the EIR, I hope you will agree that the new **City of Murrieta** needs stronger language and better Levels of Service in the General Plan to ensure the safe and orderly movement of vehicular traffic in the planning area

As stated in the EIR, Level of Service E and F will have a significant impact on the traffic in Murrieta. Yet in the General Plan, Level E will be allowed to exist at freeway intersections. In the EIR, level D was found to be unsatisfactory. Yet in the General Plan level D will be allowed to exist all over this city at intersections. Now these might be rush hour levels, but in the real world when you are trying to make a left turn at a level E intersection and the turn cannot be completed without a rise of ten points in blood pressure, you will quickly learn to avoid that area. (How many times have all of us canceled a trip to Temecula because we didn't want to go through Jefferson and Winchester at peak hours.?)

Please don't let this young city dig itself into a *traffic hole and bottleneck nightmare* all in the name of economic development. Potential homeowners will not consider Murrieta as a place to live if the traffic is no better than the place they come from.

Let us set our standards higher.

Thank You

Stephen Boyer

LETTER #16

Stephen Boyer
25205 Via Las Lomas · Murrieta, CA 92562
909-677-4472

January 21, 1994

City of Murrieta
26442 Beckman Court
Murrieta, CA 92562

To: Fred Buss

Re: Environmental Impact Report on Murrieta's
General Plan

After reading the EIR, I think that the new City of Murrieta needs stronger language and better Levels of Service in the General Plan to ensure the safe and orderly movement of vehicular traffic in the planning area.

SB-1

As stated in the EIR, Level of Service E and F will have a significant negative impact on the traffic in Murrieta. Yet in the General Plan, Level E will be allowed to exist at freeway intersections.

SB-2

In the EIR, Level of Service D, E, and F were found to be unsatisfactory. According to the EIR 33 road segments will operate at that unsatisfactory Level of Service D, E and F even after all improvements are made. Yet, the General Plan allows Level D to exist all over the city and Level E at freeway intersections.

SB-3

These might be rush hour levels, but in the real world when you are trying to make a left turn at a Level E intersection and the turn cannot be completed without a rise of ten points in blood pressure, you will quickly learn to avoid that area and conduct your business elsewhere. How many times have all of us canceled a trip to Temecula because we didn't want to deal with the madhouse at Jefferson and Winchester!

SB-4

Please don't let this young city dig itself into a traffic hole and bottleneck nightmare all in the name of economic development. Potential homeowners, businesses and developers will not consider Murrieta as a place to live, work and invest if the traffic is no better than the place they are considering leaving.

SB-5

Let us set our standards higher.

Thank You

Stephen Boyer

LETTER 15 - BOYER, STEPHEN (January 8, 1994)

SB-1 Comment noted.

SB-2 Comment noted.

SB-3 Comment noted.

LETTER 16 - BOYER, STEPHEN (January 21, 1994)

SB-1 Comment noted.

SB-2 Comment noted.

SB-3 Comment noted.

SB-4 Comment noted.

SB-5 Comment noted.

LETTER #17

FRIENDS OF THE ALAMOS DISTRICT
37100 Los Alamos Road
Murrieta, CA 92563
February 2, 1994

Mr. Stephen Harding, Planning Director
City of Murrieta
Murrieta City Hall
26442 Beckman Place
Murrieta, CA 92562

Re: Murrieta General Plan Draft EIR

Dear Mr. Harding,

The Friends of the Alamos District is a group of citizens from the general plan area who wish to stabilize and enhance the rural community within the former historic Alamos School District as an enduring open space and economic resource for the city. We would like to take this opportunity to address the draft EIR in order to make it and the general plan a more valuable document for the use of the public and decision-makers.

FOAD-1

We note that the vision statement in the general plan depicts Murrieta as a city with rural, open space character. The plan begins to provide the means of securing that open space character. The plan and the draft EIR, however, do not provide the necessary detailed and specific policy, discussion of existing conditions, and mitigations to allow the city to secure this character in the future. Without specific discussion of environmental effects and mitigations as well as comprehensive and timely policies, the city may find itself without the legal grounds to secure the rural, open space character the plan envisions. Moreover, inconsistencies within the documents will make the plan difficult to implement.

FOAD-2

LAND RESOURCES.

The land use element and section of the EIR need to evaluate the existing open space value of the general plan area including the sphere of influence and the rural incorporated area east of the I-215. They also need to link the area to open space resources throughout the region. The public and decision-makers would benefit from a discussion of elements that establish open space value and a comprehensive map locating these elements within the general plan area. Figure 4.4-1 is misleading when it characterizes open space areas with key elements as vacant land. Elements that should be analyzed and located on maps in the EIR include hills and relief features, seasonal streambeds with associated vegetation, mature trees, groves of trees, road marker trees, existing trails and walkways, locally characteristic and historic setbacks and architectural styles, historic and archaeological sites including farmsteads and nationally important

FOAD-3

FOAD-4

trails, areas of natural vegetation and wildlife, rock outcrops, agricultural preserves, horse farms, agricultural operations, locally characteristic road design, scenic roads, and viewsheds. Slopes over 25% need also to be mapped.

The general plan and the EIR needs to identify and discuss conflicts between land use areas. We need a discussion of the means of avoiding those conflicts. Notification of potential buyers is a woefully inadequate means to avoid conflict (LU-2.3c) since experience has shown that by then it is too late to avoid the conflicts. A thorough evaluation of the value of different widths of buffering between land use designations, including open space areas should be provided. There needs to be a discussion of the problem of using roads as a buffer between areas of rural and open space land use and urban land use. Appropriate features to use as boundaries between land use areas need to be identified.

The public and the decision-makers need also to have before them a discussion of the basis for the land use designations in the preferred general plan. Why were areas designated as single family urban residential, multi-family residential, rural residential, industrial, and commercial?

In view of the impacts on existing and future agricultural land use and the stated objective to maintain agriculture as a high community priority, the EIR needs to present a discussion of the means of encouraging agriculture in the general plan area. Potential high value crops for the general plan area need to be identified. The city would best begin by contacting the state and farm advisor's office and local innovative farmers for contributions to the plan.

The EIR needs to provide a discussion of the level of agricultural use necessary to maintain and encourage agricultural use. The economical viability for a single farm operation cannot be used as the determining index.

Specifically as regards the Alamos District, we wish to indicate that historically the area has been known as the "Alamos District." "Los" Alamos District is a misnomer. Moreover, the EIR does not correctly identify the boundaries and the contributing elements of the historic district. The district historically included both sides of Los Alamos Road all the way to the former Rancho Temecula boundary now approximately in line with Via Santee. Historic sites including the James Place and a historic eucalyptus woodlot associated with the Hind Ranch are found on the north side of Los Alamos Road. Archaeological sites have also been recorded north of Los Alamos Road. The city needs to engage a professional historic preservationist to evaluate and provide specific mitigations for impacts of the general plan on the historic Alamos District, the downtown historic district, and historic and archaeological resources throughout the city.

The proposed mitigation measures for land use impacts do not address the identified impacts of increased urbanization on the rural residential neighborhoods and on agricultural land use. Instead they ask the public and decision-makers to adopt a circular logic where urban development is proposed as mitigating the effects of urban development. Rural residential land use designations are a misnomer and have confused the public during the workshop review period. Half-acre lots do not adequately accommodate livestock. Moreover, residents of the area are familiar with the Riverside County use of the term to denote densities of one dwelling unit per 2 1/2 acres.

FOAD-1

The EIR needs to include a copy of the specific mitigations provided in the city development code, sign standards, and water conservation ordinance for review by agencies, the public, and the decision-makers.

FOAD-1

Proposed mitigations in it EIR itself do not identify and mitigate potential conflict areas between rural and urban uses, including smells, insects, noise, dust, intrusion of pets, vandalism, trespassing, urban pesticide use, traffic, flooding, water contamination, and groundwater recharge. The insufficient mitigation of conflicts does not adopt the point of view of the rural resident or consider rural property values.

FOAD-1

The public also needs to be aware of the specific impacts that development of the open space regions of the general plan area will have on the existing urban areas of the city, including economic impacts as permitted by CEQA.

FOAD-1

The EIR should evaluate and include the following mitigations for the general plan's impacts on open space and existing and potential agricultural land use:

(1) The identification and mapping of significant natural resource areas including creeks, 25% slopes, multi-species habitat areas and areas of existing farm use and livestock raising.

(2) The identification of specific design elements to be incorporated within design guidelines and public works projects in order to maintain the rural and open space character of the general plan area including building setbacks, road design elements, slope treatments, walkways, trails, existing rock outcrops, natural vegetation areas. These may be presented in terms of performance standards.

(3) The location and mapping of specific rural character and historic areas within the general plan area.

FOAD-1

(4) The identification and mapping of appropriate buffer areas between land use areas with the rationale for the determination.

(5) The description of a program in cooperation with the state and Riverside County farm advisor's office to introduce high value crops into the general plan area.

(7) The description of a program in cooperation with Eastern Municipal Water District to use tertiary treated water for agricultural operations within the general plan area.

(8) The description of a certified farmers' market following guidelines established by the state.

(9) The identification of new and innovative crops to be used on locally important, state important, unique, and prime farmland.

(10) The identification of business related to agriculture that may be developed within the city.

(11) The identification of recreational businesses related to agriculture and livestock raising such as a year-round equestrian show and harness racing facility.

BIOLOGICAL RESOURCES.

The draft fails to discuss the value of habitat and wetland conservation to the human species. Such a discussion and evaluation needs to be included for the benefit of the public and future and current decision-makers if they are to weigh successfully open space values versus economic development. The draft should include commentary on the value of conservation for medical research, food production, pest management, water management, recreation, and economic development. It should also discuss the global significance of the general plan area's habitats.

The EIR is noticeably deficient in its discussion of the Natural Communities Conservation Plan (NCCP) of the Fish and Wildlife Code. The NCCP should be described for the benefit of the public and the decision-makers.

The draft fails to identify adequately the location of important wildlife species in the general plan area. Discussion omits the presence of the threatened California gnatcatcher in the chaparral and coastal sagebrush areas east of I-215. See the map of the species available from the U.S. Fish and Wildlife Service and the Biological Report on the Adobe Springs II project attached. Potential populations of the endangered Stephens' kangaroo rat in the area are not recorded. Raptor foraging habitat areas are not discussed or mapped. Wetlands and riparian scrub and forest ecosystems are not located. The draft also fails to discuss regional habitat areas that are dependent on those within the general plan area for their continued viability.

The EIR needs to present a map of potential and known California gnatcatcher, Stephens' kangaroo rat, and raptor foraging habitats as well as wetlands and riparian scrub and forest ecosystems for the benefit of the public and decision-makers. Regional habitat areas also need to be mapped.

The DEIR does not recognize the seasonal nature of wetlands in the Murrieta general plan area nor does it identify the species dependent on these wetlands. The EIR must provide a locally useful definition of wetlands that will recognize their habitat value. Evaluations of the impact on wetlands depends on state and federal regulation (p.4.4-24). The EIR needs to assess the value of and significance of the project's impacts on local wetlands apart from

state and federal regulations since a discussion of regulations do not provide an evaluation of the existing local resources.

The discussion of the Stephens kangaroo rat suggests that Murrieta currently participates in a Habitat Conservation Program and collects fees as mitigations that are used for habitat purchase (pp.4.4-15, 4.4-28). The program needs to be clearly identified. Where are the lands that are being purchased as habitat preserve? The attached letter indicates that the City is not a participant in the Riverside County Habitat Conservation Plan.

FOAD-2

The EIR fails to endorse the California Environmental Quality Act requirements for the preparation of an environmental impact report when a project may have a potential significant effect on wildlife populations or movement (p.4.4-26). The procedures and the biological impact report mentioned cannot replace CEQA's requirements. The city must comply with CEQA's provisions for the preparation of an initial study, submission of environmental documents to state and federal agencies, tiering of the final EIR prepared for this project and either an environmental impact report or a negative declaration according to the results of the initial study, the issuing of CEQA's mandated findings, and the issuing of a statement of overriding consideration, if necessary.

FOAD-2

The EIR must inform the public and decision-makers about the provisions of CEQA regarding impacts on wildlife species. As it now stands the EIR gives no indication that city officials must comply with the California Environmental Quality Act when they review development projects and suggests that they may avoid it.

FOAD-2

The use of off-road motorcycles and recreational 4-wheel drive vehicles, the construction of roads, the clearing of fire breaks, and the installation of public utility lines have destroyed biological resources within the general plan area. The staff of the City of Murrieta has demonstrated little familiarity with biological resources in the area and with innovative means to mitigate the impacts of area development. Increased urbanization is likely to increase the frequency of these impacts. These impacts need to be discussed within the EIR and mitigations established.

FOAD-24

Proposed mitigation measures do not provide certain and specific mitigations for impacts caused by the project. The public and decision-makers are asked to accept deferred project conditions and studies as mitigations. Studies are not mitigations and must be carried out during the environmental review process for the benefit of the public and decision-makers. The EIR for the project must present specific mitigations for review. These should include the following:

Fragmentation of Habitat(Impact 4.4-1).

(1) Specific elements to be contained in wildlife and habitat management plans for individual development projects set in terms

of specific performance objectives.

(2) A map of the identified corridors and additional "localized" wildlife movement corridors within the general plan area.

(3) A map indicating how corridors within the general plan area link wildlife preserve areas outside the area including the Santa Rosa Ecological Preserve, the Cleveland National Forest, the Shipley Preserve, and the San Jacinto Foothills.

(4) An evaluation of the biological value of a range of corridor widths needs to be made so that the public and decision-makers may determine the optimal width to mitigate impacts.

(5) A map identifying potential wildlife preserve areas throughout the general plan area and potential and existing wildlife preserve areas in the region including the Santa Rosa Ecological Preserve, the Cleveland National Forest, and the Shipley Reserve needs to be included.

(6) The identification of means of providing for acquisition of preserve areas within the general plan area including density transfers, conservation easements, federal, state, and private grant programs, and habitat maintenance assessment districts.

(7) The identification of the amount of money collected by the City to date for acquisition of wildlife habitat.

(8) The identification of road design elements that will allow species movement.

(9) A map indicating locations for road elements allowing for species movement including box culverts.

(10) An ordinance prohibiting the use of recreational vehicles in sensitive habitat areas.

(11) Guidelines for the construction of public and private roads, fire breaks, and public utility lines in wildlife habitat areas and corridors.

(12) The creation of a program to inform city staff members about the biological resources within the general plan area.

(13) The creation of a resource conservation commission and resource conservation officer staff position for the City of Murrieta.

(14) A map indicating potential agricultural and open space land use in areas adjacent to identified biological communities (Figure 4.4-1).

(15) A map identifying traffic-avoidance areas.

Riparian Scrub and Forest habitat. (Impact 4.4-2).

(1) It is unclear why a 100-foot buffer has been set as a mitigation. The EIR needs to explain why that width was chosen as a means of mitigating impacts.

(2) An examination of the value of varying buffer and setback widths in preserving California gnatcatcher, Cooper's hawk, and "numerous other special-status species."

(3) The identification of roadway crossing design features that will accommodate the passage of wildlife.

(4) Performance standards to accommodate the movement of wildlife across roadways.

(5) The definition and listing of "best management practices" for the benefit of the public and decision-makers.

FOAD

Wetlands, Springs, and Creeks (Impact 4.4-3).

(1) Performance standards setting the "minimum" level of impact on water features to be permitted.

(2) A discussion of the value of and identification of specific means of compensation for wetland loss to be permitted.

(3) A wetland delineation study must be done preliminary to project approval and not as a condition of approval in order for the public and decision-makers to assess the impacts of a proposed project.

Special Status Wildlife and Plants (Impacts 4.4-4, 4.4-6).

(1) CEQA's provisions for the protection of special status wildlife.

(2) An identification of the means of avoiding impacts on wildlife, including clustering, density transfers, conservation easements, public and private grant programs for preserves, specific land management practices for property owners, road design elements, exactions for preserve purchase, habitat maintenance assessment districts, and the natural communities conservation plan provisions of the state code.

FOAD-2

Stephens kangaroo rat (Impact 4.4-5).

(1) The identification and description of specific elements in a plan to provide for mitigation of impacts including an identification of preserve areas within the general plan area.

(2) The identification of means of mitigation for impacts including clustering, density transfers, conservation easements, public and private grant programs for preserve purchase, specific land management practices, road design elements, exactions for preserve purchase, habitat maintenance assessment districts, and the natural communities conservation plan provisions of the state code.

(3) A description of a future City ordinance specifying protections to be adopted.

Santa Rosa Plateau Ecological Reserve (Impact 4.4-6).

(1) The identification of agricultural and open space land use adjacent to the preserve.

(2) The identification of road design elements that will accommodate wildlife movement in general plan areas adjacent to the preserve.

IMPACTS ON EXISTING ROAD SYSTEM.

Impacts of the general plan on circulation is not adequately investigated. The public needs to know specific road standards to be adopted in Policy C-1.1a and how they will effect existing neighborhood activities. A map of existing residential neighborhoods in the general plan area as defined by the California Vehicle Code referred to in Policy C-1.3a needs to be included for our information. We need to know how increased traffic throughout the general plan area will effect pedestrians, including school children, bicyclists, and equestrians. Potential areas of conflict

FOAD-2

must be mapped and presented. The document must also take into account the increased numbers of vehicles transporting children to school sites and the effect of increased traffic on business and agriculture. The public needs to know how general plan area roads will effect historic, cultural, biological, and water resources. Cumulative and growth-inducing impacts generated within the City by the general plan circulation in conjunction with development in the surrounding region need to be discussed as well.

More specifically, Figures 4.8-1 through 4.8-5 do not present the existing rural system along Los Alamos Road from Via Santee to Winchester Road. The maps suggest that Los Alamos follows a relatively direct line east from its intersection with Clinton Keith Road, that it makes a right angle turn in that area, and that it is not directly attached to Winchester Road. The map also includes several roads in the area that do not exist: (1) a road intersecting at the L in "Los" and traveling north to Antelope and Clinton Keith (2) a road intersecting Whitewood at the R in "Rd." and traveling southeast. See the attached map for a record of the existing roads.

Moreover, the figures fail to include a number of rural lanes accessing Los Alamos in the rural area including Celia Road, Mason Avenue, Shannon Lane, and Liberty Lane.

The draft ignores the numerous points of potential conflict along the rural section of Los Alamos Road proposed for widening to 4 lanes between Via Santee and Winchester Road. These include the areas on the attached map where the rural lanes and private driveways access Los Alamos. The proposed road from Clinton Keith joining Los Alamos from the northwest will form a major thruway into the rural neighborhood, creating a dangerous conflict between neighborhood and commuter traffic like that "cut through route" existing along Calle Medusa in Temecula. These areas of conflicts need to be recognized and mitigated.

In addition, the draft document fails to record the impacts of increased traffic on pedestrians, including school children and recreational walkers, equestrians, and bicylists who use the rural section of Los Alamos Road. A particularly dangerous areas exists along Los Alamos Road where the road parallels a seasonal streambed and pedestrians and equestrians are forced to travel a narrow strip between the two. The draft also fails to note points of existing and potential conflict where private lanes enter the road system.

The public and decision-makers need to be presented with an accurate map of the existing road system, its users, and points of existing and potential conflicts in order to evaluate impacts of the project. The caveat in the California Environmental Quality Act to give increased attention to impacts of development in rural areas must be heeded here.

The following mitigation measures need to be included in the EIR discussion of mitigations for the impacts identified above.

(1) Development project applicants must provide an analysis of the impacts of circulation generated by their project on existing neighborhoods before project approval.

(2) A list of the energy efficient road standards recommended by the Institute of Transportation Engineers including reduced pavement widths, elimination of conventional urban curbs, and use of road shoulders instead of conventional parking lanes.

(3) The creation of sidewalk setbacks.

(4) The separation of equestrians from vehicular traffic and the use of protective fencing.

(5) A map of an integrated Class 1 and Class 2 (on- and off-road) system of bicycle paths and lanes for schoolchildren and students of San Jacinto Community College throughout the general plan area linking with the Riverside County and Temecula multi-purpose trail system.

(6) A map of an equestrian trail system throughout the general plan area linking with the Riverside County and Temecula multi-purpose trail system.

(7) A map indicating the future location of park and ride lots.

(8) A map showing existing and potential schoolbus stops.

(9) A map of road parkways to be built with planted medians throughout the general plan area including Jefferson, Madison, Hancock, Los Alamos, Murrieta Hot Springs Road, Whitewood, California Oaks Road, Antelope Road, Meadowlark, and Clinton Keith Road.

(10) A map showing sensitive biological, cultural, and water resources that need to be accommodated by special road elements.

(11) Diversion of traffic along alternate routes to avoid impacts on sensitive biological, cultural, and water resources.

(12) Identification of federal and state grant programs that provide for road and trail design through sensitive areas.

CULTURAL RESOURCES

The draft EIR needs to present an overview of the periods of Murrieta history. It also needs to identify and describe for the benefit of the public and decision-makers an integrated historic preservation approach. The state Historic Resources Inventory, the National Register, and the state and county landmarks program need to be identified, distinguished, and briefly described as planning tools for the public and decision-makers. The discussion needs to identify the major principles of cultural site preservation including Department of Interior Guidelines.

Forwarding descriptions of proposed projects to the Eastern Information Center is not an adequate means of determining the historic and cultural sites that may be impacted by pending projects under CEQA since the center's information is limited. Following CEQA, the city must require that potential significant effects on historic and cultural sites be identified and studied during project review. Surveying, testing, and data recovery are not appropriate mitigations for impacts on cultural sites since

FOAD-3

FOAD-3

their purpose is to identify the nature of the impact.

The EIR needs to include the following mitigations:

- (1) The description of a facade and conservation easement program.
- (2) The identification of state and federal grant programs for the purchase and management of historic and cultural sites.

Time precludes our giving complete commentary on the effects of the plan on cultural resources.

PLAN ALTERNATIVES.

We are constrained here in our comments due to the short amount of time.

The alternatives addressing change from existing conditions in the general plan area including the no project or SWAP alternative presented and the specific plan alternative are inadequate. These two alternatives do not provide mitigations for the significant effects as noted in the draft environmental impact report and the above comments.

SUMMARY

We are particularly concerned about the numerous inconsistencies in the general plan and the draft

The public review period for the draft EIR precludes a full examination of the draft plan and EIR. The draft EIR was released during the Christmas holidays. The draft general plan was finalized on January 26, 1994. The draft EIR depends on mitigation measures included within the plan. Moreover, our review of the draft EIR and general plan to date indicate major effects that have not been mitigated or adequately addressed by the alternatives proposed in the draft EIR or by policies in the plan.

The untimely release of the environmental impact report and the beginning of the review period before the release of the draft plan have confused the public. The schedule in fact suggests that the city has not properly acted on its obligation under the California Environmental Quality Act to inform the public. The public in compliance with the intentions of the Legislature should be able to comment fully on the environmental impact report for the benefit of the city's decision-makers.

Under the circumstances our group can only begin to address issues raised by the general plan related to biological and historic resources, land use and circulation and comment on the value of the alternatives presented for review.

Consequently we request additional time to review the environmental impact report.

We hope to add additional comments on the effects of the general plan on environmental resources in the general plan area and that the public and the decision-makers may have the benefit of review of the issues raised by our comments.

FOAD-30

Sincerely,

Rita Gentry

Rita Gentry
Spokesperson

LETTER 17 - FRIENDS OF THE ALAMOS DISTRICT (February 2, 1994)

FOAD-1 Comment noted.

FOAD-2 The Draft EIR for the Murrieta General Plan is a "program" level EIR, which is intended to address Citywide issues and impacts that could result due to buildout of the proposed General Plan or implementation of its policies. It must be emphasized that new development in the City will undergo environmental review and "project" specific EIRs will be completed. Because site specific issues cannot be addressed as part of a broad Citywide analysis and because future conditions in the City are constantly changing and cannot be accurately forecasted, it is unrealistic and beyond the scope of this "program level" EIR to address many of the specific environmental issues that will confront future projects. The objective of this program level EIR is to broadly disclose potentially significant impacts and evaluate the adequacy of the General Plan's policies in establishing a framework that will allow the City to mitigate potential impacts through their regulatory and project approval process. This EIR, and EIRs in general are not intended to take the place of essential City regulations, ordinances, plans and guidelines that exist or may evolve in support of the General Plan. Considering these points we would like to make clear that the EIRs discussion of existing conditions (as summarized from the Master Environmental Assessment), impacts, and mitigation measures is of appropriate scope and detail for a program level EIR and fully meets the requirements of the California Environmental Quality Act (CEQA). It is the intent of CEQA that EIRs benefit from public input and the input of public agencies gathered during circulation of the Draft EIR. Where comments are provided that can substantially improve or correct the technical environmental analysis, changes to the Draft EIR will be made in this document. Comments on the Draft EIR will also be considered as the General Plan goes through the public hearing process.

FOAD-3 As part of the General Plan development process, open space areas were identified and carefully considered in combination with other issues in determining the General Plans proposed mix of land uses. The EIR does evaluate impacts on open space in the City and its sphere of influence. The Aesthetics/Views section of the Draft EIR, pages 4.12-12 through 4.12-15 provides a discussion that is comprehensive and assesses impacts on vacant land and natural open space including effects on hillsides, ridgelines, watercourses/creeks, and on natural vegetation.

FOAD-4 The Conservation and Open Space Element includes a full discussion of open space areas and depicts the study areas major open space resources in Figure V-1, Page COS-11.

FOAD-5 Figure 4.4-1 is solely intended to illustrate large concentrations of sensitive biotic resources. An MEA was prepared prior to the Draft EIR to document existing environmental conditions in the City. The MEA which is incorporated into the Draft EIR by reference per CEQA Guidelines Section 15169, and the Existing Conditions Reports that served as the basis for the development of the General Plan contain several maps depicting topographic features, streambeds, scenic highways, trails and historic areas. Although extensive mapping has been prepared and was essential to the General Plan and environmental process, more detailed mapping was beyond the scope and budget of the General Plan program. Mitigation measures in the EIR and General Plan policies do point out the need for the City to conduct more detailed mapping as it becomes a priority.

- FOAD-6 The potential for land use conflicts is discussed in the Draft EIR in the Land Use Section, Page 4.1-15 and 16, under Impact 4.1-4. The analysis cites several Land Use policies that address land use incompatibility. While there is the ability to formulate more specific policies in the General Plan, such issues as the appropriate width of buffers between land uses are difficult to anticipate and can be more specifically addressed on a project-by-project basis. The policies in the General Plan associated with land use incompatibility are considered adequate to reduce the potential for impacts to a less-than-significant level.
- FOAD-7 Comment noted. The entire General Plan effort, including several comprehensive and detailed technical studies, environmental studies, extensive citizen input, GPAC input and staff input, focused on determining the most appropriate mix and location of land uses for the City. This process is summarized in the Draft EIR Project Description Section, Page 2-1 through 2-5. Also please refer to FOAD-2.
- FOAD-8 Agriculture within the General Plan area is discussed in the Land Use Section on Page 4.1-14. The discussion recognizes agricultural lands and states that there are approximately 1,615 acres of agricultural land covered by the Act in the City. The act is intended to protect farmland from the pressures of speculative land values. The discussion of impacts also cites a number of General Plan policies that "partially" compensate for the potential loss of open space and agricultural lands. While there may be additional means beyond the Williamson Act and the proposed policies for encouraging the preservation of agricultural lands, the General Plan land use plan analyzed in the EIR would still have the potential to cause impacts due to the loss of agricultural lands that would be significant and unavoidable.
- FOAD-9 Determining the appropriate amount of agricultural land within the City is outside of the scope of the EIR. The Draft EIR is intended to assess the impacts of the General Plan as it is proposed.
- FOAD-10 Comment noted. A more detailed discussion of the Alamos District is provided in the existing conditions report which was reviewed in determining the potential for impacts on historic resources. Due to the extensive policies in the Land Use and Conservation and Open Space Element that address preservation of the area and its resources, potential impacts on the District and its resources are considered mitigated to a less-than-significant level. Also please refer to the General Plan policies cited as mitigation.
- FOAD-11 Determining the degree of urbanization that is appropriate for the City is a decision that needs to be made by the citizens and their governing body, it is not the purpose of the EIR to address or resolve this issue. The Draft EIR assesses the potential impacts of buildout of the General Plan, including an evaluation of the adequacy of General Plan policies to mitigate the potential for significant impacts. While not referred to as "rural character" the EIR identifies the loss of open space as an unavoidable adverse impact of build-out under the proposed General Plan. The EIR also refers to a number of policies in the General Plan which are intended to preserve the community's rural/equestrian character.
- FOAD-12 It is beyond the scope of this EIR to list all mitigating regulations contained in the city development code. The presence of City regulations, standards and guidelines have been recognized and considered in the EIR's analysis of impacts. Mitigation measures and policies listed in the EIR are intended to be broad based, and to be supported where needed by more specific City regulations, programs and implementation actions.

FOAD-13 Please refer to FOAD-11.

FOAD-14 Please refer to FOAD-11. While a marketing study was conducted as part of the General Plan development process, CEQA does not require analysis of economic impacts.

FOAD-15 Comment noted. Please refer to comments FOAD-2 through 14.

FOAD-16 The value of riparian/wetland habitat is discussed in the Biological Resources Section of the Draft EIR on page 4.4-6. A discussion of the value of conservation and the global significance of the General Plan area's habitats is beyond the scope of the Draft EIR. Please refer to FOAD-2.

FOAD-17 The Natural Communities Conservation Plan is a new process intended to encourage cooperation and conflict resolution between all interested parties involved in biological resource issues, including conservationists, landowners, developers, and all applicable levels of government, federal, state and local. The essential element of the NCCP is conserving species and their habitats in landscape units large enough to ensure their continued existence. A local example of a program that is generally consistent with the intent of the NCCP is the Riverside County Habitat Conservation Plan.

FOAD-18 Tables 4.4-1 and 4.4-2 of the EIR provide a comprehensive list of sensitive wildlife species likely to be found in and around the Murrieta area. The Biological Resources Section of the EIR also discusses the major plant communities found within the Murrieta area. As stated in the footnote, the mapping of biological communities provided in Figure 4.4-1 is based on limited field research and on environmental documents that were known to be available at the time the analysis was conducted. Due to the broad scope of the EIR and budget and time constraints more detailed mapping of biotic resources was not conducted. However, the EIR analysis identifies and discusses the potential for impacts on all sensitive species known or suspected to occur throughout the study area. These species are listed in Table 4.4-1 and 4.4-2. The mitigation measures provided in the EIR along with proposed General Plan policies are considered comprehensive and adequate to address potential program level impacts. The Biological Resources section does discuss raptor habitat on page 4.4-2 and occurrences of the Stephens' kangaroo rat and the location of major concentrations of riparian habitat are depicted on Figure 4.4-1. Potential populations of the SKR are discussed on Page 4.4-28 of the Draft EIR in the discussion of Impact 4.4-5. Although regional habitat areas outside of the study area were not mapped, the EIR recognizes the value of regional habitat areas (including the Santa Rosa Plateau Ecological Reserve) and provides mitigation measures that address impacts associated with the fragmentation of habitat for native plant and wildlife species.

FOAD-19 Please refer to previous response.

FOAD-20 Seasonal wetlands are discussed in the Biological Resources Section on Page 4.4-7. The section does identify sensitive species dependent on wetlands. These species are identified in Table 4.4-1 and 4.4-2, in the individual discussion of sensitive wildlife species, and under the heading "Plants of Riparian or Other Wetland Habitats" on Page 4.4-18 of the EIR.

FOAD-21 Please see Letter 12, responses RCHCA-5 through 7.

FOAD-22 Please see response FOAD-2. The EIR is a program level document and it is appropriate and within the requirements of CEQA to recommend policies and subsequent studies as mitigation. Mitigation of biological impacts in the EIR is adequate and the analysis as amended by this document fully complies with CEQA.

FOAD-23 As new development occurs in the City, all discretionary actions are by California law required to undergo environmental review consistent with the CEQA. Part of the environmental review process entails an initial assessment, called an "Initial Study" that determines whether the project would result in significant impacts on the environment. The Initial Study requires an evaluation of potential impacts on biological resources. If the potential exists for significant impacts, mitigation in the form of a mitigated Negative Declaration or an EIR must be provided. The mitigation measures for biological resources provided in the Draft EIR for the General Plan are intended to guide the City in its determination of whether impacts are likely to be significant and in ensuring that impacts are adequately mitigated. The discussion of impacts on wildlife species in the EIR is by no means intended to suggest that the City evade state law.

FOAD-24 The EIR discusses impacts of road and utility construction on biological resources on Page 4.4-25. It is acknowledged that off-road vehicles and fire prevention measures may impact natural habitat areas. The following mitigation measures are proposed in the Final EIR:

4.4-5(c) *Proposals for new development in high fire hazard areas shall be evaluated for their potential impact on natural habitat resulting from brush clearance. Where significant impacts are likely to occur mitigation measures shall be provided to avoid or off-set such impacts.*

4.4-5(d) *Areas dedicated as open space and other areas of natural habitat shall be protected from damage by off-road vehicles and other habitat-damaging disturbances such as camping, and unrestricted access by house pets. Areas shall be protected through fencing, signing and policing to indicate that such activities are prohibited.*

FOAD-25 Please see response to comment FOAD-2 and FOAD-23.

FOAD-26 While many of the measures suggested may be appropriate for the City to consider, it is beyond the scope of this program EIR to provide an analysis of the detail that is suggested. The General Plan and program level EIR cannot preclude the need for further study of the City's biological resources. The policies contained in the General Plan and the mitigation measures provided in the EIR are not intended to be exhaustive. More specific and detailed mitigation will need to be examined on a project-by-project basis, including measures in EIRs for specific plans and infrastructure projects. The policies in the General Plan and mitigation measures in the EIR are considered to be of a scope and level of detail appropriate for a program EIR and adequate to fulfill the mandates of CEQA.

FOAD-27 The analysis of circulation issues in the EIR focuses on the primary aspects of circulation adequacy at a citywide level, specifically Level of Service (LOS) and volume to capacity ratios (V/C ratios) for the City's major roadways. This level of analysis in the EIR using the standards of significance provided on page 4.8-18 of the Transportation and Circulation Section are considered adequate for the purposes of CEQA. As referenced on Page 4.8-1, the

essential data for the circulation analysis was obtained from the Murrieta General Plan Circulation Element Traffic Study prepared by Robert Kahn, John Kain and Associates (January 29, 1993). This document is included in the Draft EIR as Appendix E and can be referred to for a more detailed and technical description of circulation issues. The Traffic Study (Appendix E) and the General Plan Circulation Element establish functional classifications and provide figures that graphically depict the proposed Circulation Plan for the City. Mapping and analysis of local streets in the City would be extremely difficult to achieve and is not considered appropriate or necessary to evaluate the impacts of General Plan buildout on the City's primary roadway system. It is important to point out that growth under the proposed General Plan will take place incrementally over the long-term and as such is difficult to anticipate many of the more specific circulation issues that will face the City. As new development occurs and major improvements to the circulation system are proposed, project review and environmental review will take place and impacts will be addressed on a project-by-project basis.

FOAD-28 Comment noted.

FOAD-29 See response to comment FOAD-27.

FOAD-30 While it is acknowledged that there may be a number of localized problems along individual roadways in the General Plan study area, these problems cannot all be resolved at the General Plan level. What is essential in determining the adequacy of the General Plan Circulation Element is whether the major roadway system is adequate to support buildout and whether the policies proposed are adequate for the City to maintain and improve the efficiency of the City's circulation system. The EIR concludes that the Circulation Elements policies and major features such as establishment of a Development Impact Monitoring Program, a Transportation Facilities Funding Program, a Local Transportation Management Program and a Transportation System Management Strategy are adequate when combined with project-by-project review to reduce impacts identified to a less-than-significant level. Also please see response to comment FOAD-27.

FOAD-31 Please see response to comment FOAD-27 and FOAD-30.

FOAD-32 Background and existing conditions information on cultural resources and the history of Murrieta are provided in the Conservation and Open Space Element Existing Conditions Report, and in the City of Murrieta Master Environmental Assessment, which is incorporated by reference into the EIR.

FOAD-33 The Eastern Information Center's data base is the most comprehensive data base of known archaeological sites and studies. As part of the CEQA process, they will not only identify known sites within a reasonable radius of a site but will also conservatively determine the perceived sensitivity of the site and whether site specific analysis should be undertaken. It is agreed that additional information that the City may contain or that local citizens are aware of may not be included in the Center's data base. Policy COS-5.2a and the other policies cited in mitigation measure 4.14-1 call for completion of a Historic Resources Inventory and a Historic and Scenic Preservation Ordinance. These measures and those outlined in the other policies provided are considered more than adequate to reduce potential impacts on historic resources in the study area to a less-than-significant level.

FOAD-34 The alternatives analyzed in the Draft EIR were those used in developing the preferred land use plan and played an essential role in the decision making process. As stated in the introduction to the Alternative analysis on Page 6-1 of the Draft EIR, the "the effects of alternatives need not be exhaustive or of the same detail as the analysis of the proposed project." Providing mitigation measures for the various alternatives is not required by CEQA, and the analysis is considered sufficient to permit a reasonable choice about the feasibility of the various alternatives.

FOAD-35 Without specific reference to inconsistencies, a response cannot be made. Comment noted.

FOAD-36 Your comments have been noted. These comments will be presented to the Planning Commission and City Council and will be considered in the ongoing approval process for the General Plan. Based on the number of comments and concerns expressed regarding the proposed General Plan, additional meetings with the public have been conducted and changes to the General Plan are being considered and will be presented to the Planning Commission and City Council.

LETTER #18

PATRICK C. HALEY
33447 Little Reb Place
Menifee Valley, California 92584
TEL: (909) 672-2966 FAX: (909) 672-9570

March 1, 1994

Mr. Stephen G. Harding, Director
City of Murrieta Planning Department
Murrieta City Hall: 26442 Beckman Court
Murrieta, California 92562

Dear Mr. Harding,

I wish to express my serious concern regarding Relevant Policies of the Murrieta General Plan and Impacts and Mitigation Measures as proposed in the Environmental Impact Report regarding Hydrology and Water Quality, section 4.3. I am specifically directing my attention to Policy S-2.1h: Surface Water Runoff from New Development Shall be Controlled by On-site Measures including but not limited to the following (P 4.3-6):

Structural Controls

Restricting changes in topography

*Removal of Vegetation; and limited areas of impervious surfaces

Implementation of these practices are proposed to mitigate the impact on flood exacerbation, soil erosion and groundwater recharge (impacts 4.3-1, 4.3-2 and 4.3-4). I disagree completely with the proposal to remove vegetation as a mitigation measure. To the contrary, it will enhance all impacts addressed, and in a major way if the proposed density levels and build-out you anticipate do indeed take place. I am attaching excerpts from four reference texts, spanning the period from 1977 to 1994, which describe the impact of vegetation on mitigation of flooding, soil erosion and recharge. None of them recommend removal of vegetation but rather describe the necessity of retaining it. Common sense also dictates the importance of maintaining vegetation. These references are:

Man & His Geologic Environment, 2nd Ed., 1977, Cargo & Mallory

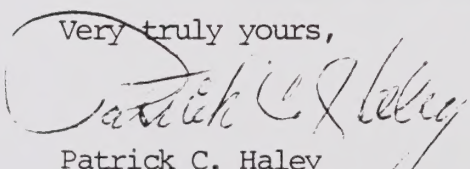
Environmental Geology, 2nd Ed., 1989, Carla Montgomery

Environmental Science, 1993, Morgan, Moran & Wiersma

Environmental Science, 4th Ed., 1994, Daniel D. Chiras

The proposal to remove vegetation presented in your EIR are directly opposed to what professionals know and understand to be proper treatment to reduce the impacts of high density development on water quality, increased flooding, soil erosion and loss of recharge. What you are planning will cause greater problems. Please investigate this issue more carefully, particularly by seeking the advice of a dis-interested outside professional hydrogeologist to review these proposals.

Very truly yours,


Patrick C. Haley
CC: Carmela Loelkes, Chairperson, Planning Commission

LETTER 18 - HALEY, PATRICK C. (March 1, 1994)

PH-1 Thank you for your comments. Policy S-2.1h of the Safety Element was incorrectly worded and will be amended in the EIR and General Plan prior to final approval. The correct policy language is as follows:

S-2.1h Surface water run-off from new development shall be controlled by on-site measures including, but not limited to the following:

- Structural controls;
- Restricting changes in topography;
- **Restricting** removal of vegetation; and
- **Limiteding** areas of impervious surfaces.

Stephen Harding
Planning Director
City of Murrieta

Dear Mr. Harding:

Thank you for the opportunity to review the Draft EIR for the City of Murrieta General Plan. We have not prepared comments on the Summary as we have chosen to discuss the issues in the relevant sections. These discussions would of course relate to the Summary as well. Our comments are discussed below.

4.1 Land Use:

The discussion of the potential impacts to land use are inadequate.

The EIR does not provide substantiation that the mitigation measures will mitigate the potential impacts identified. The EIR merely asserts that the mitigation measures are adequate. There is no attempt to discuss how the proposed mitigation measures will reduce the potential impacts. Had such substantiation been attempted, the authors would have noted that the impacts are still significant according to the criteria of significance below:

Bullet 3 " a substantial change of existing or planned land use patterns in the area."

One could hardly argue that the proposed development of the area is not a substantial change from the existing land use in the area given the fact that it will result in a fivefold increase in the population and result in the conversion of all agricultural lands. Additionally, the proposed land use changes will result in substantial changes from the currently planned land uses for the area. These changes include:

a 34 % increase in population from the current SWAP plan.

The total elimination of all agricultural zoning

A tenfold increase in the density of development in the steep hillside areas of the Antelope Hills.

A tenfold increase or more in the density of development in the areas identified as habitat for the Federally Threatened California Gnatcatcher.

The mitigation measures proposed are speculative in nature in that they are General Plan Policies only and will not necessarily be implemented. Additionally, many of these policies are couched in terms of " encouraging " and thus do not meet the Sundstrom test of certainty.

The DEIR uses LU-1.7a as a mitigation measure designed to reduce the potential impacts. The policy in the plan is not implemented

RJ-1

in the plan. Despite the presence of steep slopes, 8,000 acres of Stephen's Kangaroo Rat habitat and over 3,000 acres of California Gnatcatcher habitat, not one acre has been designated as open space to provide protection. These areas are all proposed for residential, commercial or industrial development thus ensuring their destruction.

The rule of law established in *Sundstrom v The County of Mendocino* was that because the success of mitigation measures was uncertain, the agency could not have reasonably determined that significant effects would not occur.

AB2583 requires that "the lead agencies determination of whether a project may have a significant effect on the environment be based on substantial evidence in the record". The DEIR fails short of this burden of proof. THE IMPACTS TO LAND USE THEREFORE REMAIN SIGNIFICANT IMPACTS.

Mitigation: The CEQA Guidelines, in section 15021 require:

(a) CEQA establishes a duty for public agencies to avoid or minimize environmental damage where feasible.

(1) In regulation public or private activities, agencies are required to give major consideration to preventing environmental damage.

(2) A public agency should not approve a project as proposed if there are feasible alternatives or mitigation measures available that would substantially lessen any significant effects that the project would have on the environment.

(b) In deciding whether changes in a project are feasible, an agency may consider specific economic, environmental, legal, social and technological factors.

(c) The duty to prevent or minimize environmental damage is implemented through the findings required by Section 15091.

(d) CEQA recognizes that in determining whether and how a project should be approved, a public agency has an obligation to balance a variety of public objectives, including economic, environmental, and social factors and in particular the goal of providing a decent home and satisfying living environment for every Californian. An agency shall prepare a statement of overriding considerations as described in Section 15093 to reflect the ultimate balancing of competing public objectives when the agency decides to approve a project that will cause one or more significant effects on the environment.

There are clearly mitigation measures or alternatives which could reduce the identified impacts. The City has made no attempt to

evaluate meaningful alternatives or to develop mitigation measures adequate to mitigate the impacts.

4.2 Geology:

RJ-2

The DEIR does not provide any information relative to the risks from the San Jacinto, Lake Elsinore or Wolf faults. There is no reference to the maximum credible event expected from any of these faults even though they lie within the city or are very nearby. The primary reference is to the San Andreas fault, some 50 miles distant.

There is no discussion of the potential impacts as a result of the modification of landform.

RJ-3

Mitigation measure 4.2-1(a) does not ensure anything. The policy referenced only says that the City shall develop standard grading conditions that address erosion and siltation.

RJ-4

Mitigation measure 4.2-1(b) only refers to "major" projects and projects on slopes of 25% or greater. There is no definition of major projects and no mitigation for projects which are not considered to be "major".

This measure clearly does not take into account the cumulative impacts of smaller projects, the overwhelming majority.

RJ-5

Mitigation measure 4.2-2(c) only applies to discretionary projects. There is no method of providing mitigation for ministerial projects.

There are no standard by which the adequacy of future mitigation can be evaluated.

RJ-6

AB2583 requires that "the lead agencies determination of whether a project may have a significant effect on the environment be based on substantial evidence in the record". The DEIR does not meet this test.

The mitigation measures proposed are speculative in nature in that they are General Plan Policies only and will not necessarily be implemented. Additionally, many of these policies are couched in terms of "encouraging" and thus do not meet the Sundstrom test.

The EIR does not provide substantiation that the mitigation measures will mitigate the potential impacts identified. The EIR merely asserts that the mitigation measures are adequate. There is no attempt to discuss how the proposed mitigation measures will reduce the potential impacts. Had such substantiation been attempted, the authors would have noted that the impacts are still significant according to the criteria of significance below:

The mitigation measures proposed are speculative in nature in that they are only General Plan Policies and will not necessarily be implemented. Additionally, many of these policies are couched in terms of "encouraging" and thus do not meet the Sundstrom test of certainty. The rule of law established in Sundstrom v The County of Mendocino was that because the success of mitigation measures was uncertain, the agency could not have reasonably determined that significant effects would not occur.

The DEIR falls short of this burden of proof. THE IMPACTS TO GEOLOGY THEREFORE REMAIN SIGNIFICANT IMPACTS.

4.3 Hydrology and Water Quality

AB2583 requires that "the lead agencies determination of whether a project may have a significant effect on the environment be based on substantial evidence in the record".

RJ-7

The mitigation measures proposed are speculative in nature in that they are only General Plan Policies and will not necessarily be implemented. Additionally, many of these policies are couched in terms of "encouraging" and thus do not meet the Sundstrom test of certainty. The rule of law established in Sundstrom v The County of Mendocino was that because the success of mitigation measures was uncertain, the agency could not have reasonably determined that significant effects would not occur.

The EIR does not provide substantiation that the mitigation measures will mitigate the potential impacts identified. The EIR merely asserts that the mitigation measures are adequate. There is no attempt to discuss how the proposed mitigation measures will reduce the potential impacts. Had such substantiation been attempted, the authors would have noted that the impacts are still significant according to the criteria of significance below:

Bullets 1,5,6 and 8 page 4.3-7

RJ-8

A 30 % increase in impervious area within the city will have a significant impact on the environment.

The DEIR falls short of this burden of proof. THE IMPACTS TO HYDROLOGY AND WATER QUALITY THEREFORE REMAIN SIGNIFICANT IMPACTS.

4.4 Biological Resources:

RJ-9

page 4.4-2 second line, Natural Diversity Data Bank" should read Natural Diversity Data Base.

RJ-10

Figure 4.4-1 does not identify habitat areas in the Antelope Hills or in the hills in the northeast corner of the sphere of influence.

The figure shows only two small areas of SKR in spite of the fact that the text identifies over 8,000 acres of SKR habitat.

The figure does not show the location of the gnatcatcher habitat.

Table 4.4-1 states that there is no occurrence of the Least Bell's Vireo in the plan area. There was a documented report of the LBV in Cole Canyon according to the USFWS.

RJ-11

States that the occurrence of the Southwestern Pond Turtle is unknown. The Wetlands delineation for the RCFCD Murrieta Creek project identified the presence of the SWP in the City.

Page 4.4-15 in the discussion of the California Gnatcatcher does not identify the fact that the species is federally listed as threatened. There is no reference to the thousands of acres of habitat as identified by the USFWS in a map which was presented to your office by our group prior to the release of the DEIR. There is reference to only one identified occurrence of the gnatcatcher in the plan area, east of the hogbacks. To my knowledge, there have only been gnatcatcher surveys in only three areas within the city and sphere. These three projects included Adobe Springs, Adobe Springs 2 and the Borrel airpark. All three of these projects identified the presence of the gnatcatcher.

RJ-12

RJ-13

Page 4.4-16 Least Bells Vireo- see note above re table 4.4-1

General Plan Policies:

RJ-14

Policy COS-2.1i should read Develop and maintain not develop and create.

Impacts and mitigation:

RJ-15

The guidelines define a "significant effect on the environment" as a "substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic and aesthetic significance." (CEQA Guidelines, P 15382)

AB2583 requires that "the lead agencies determination of whether a project may have a significant effect on the environment be based on substantial evidence in the record".

The mitigation measures proposed are speculative in nature in that they are only General Plan Policies and will not necessarily be implemented. Additionally, many of these policies are couched in terms of "encouraging " and thus do not meet the Sundstrom

test of certainty. The rule of law established in Sundstrom v The County of Mendocino was that because the success of mitigation measures was uncertain, the agency could not have reasonably determined that significant effects would not occur.

Impact 4.4-1 Habitat fragmentation

There is no reference to the problems associated with the fragmentation of the 8,000 acres of SKR habitat or the thousands of acres of gnatcatcher habitat.

There is no discussion about the fact that there is no connection to the habitat areas in the Antelope Hills or the area east of I-215. The primary point of connection is Warm Springs which has a discontinuous stretch of habitat corridor from Murrieta Creek to I-15.

RJ-16 The mitigation measures proposed are speculative in nature in that they are only General Plan Policies and will not necessarily be implemented. Additionally, many of these policies are couched in terms of "encouraging" and thus do not meet the Sundstrom test of certainty. The rule of law established in Sundstrom v The County of Mendocino was that because the success of mitigation measures was uncertain, the agency could not have reasonably determined that significant effects would not occur. The mitigation measures proposed provide no standards by which future mitigation can be evaluated.

The DEIR falls short of this burden of proof. THE IMPACTS THEREFORE REMAIN SIGNIFICANT IMPACTS.

Impact 4.4-2

This impact seems to concern itself primarily with the creation of an urban edge without mentioning the fact that the plan as proposed will result in the loss of 8,000 acres of SKR, a federally endangered species, habitat, as well as the destruction of thousands of acres of California Gnatcatcher, a federally listed threatened species, habitat. Similarly there is no discussion of the loss of habitat for the Least Bell's Vireo, a federally listed endangered species.

RJ-17 The mitigation measures proposed are speculative in nature in that they are only General Plan Policies and will not necessarily be implemented. Additionally, many of these policies are couched in terms of "encouraging" and thus do not meet the Sundstrom test of certainty. The rule of law established in Sundstrom v The County of Mendocino was that because the success of mitigation measures was uncertain, the agency could not have reasonably determined that significant effects would not occur.

The DEIR falls short of this burden of proof. THE IMPACTS THEREFORE REMAIN SIGNIFICANT IMPACTS.

Impact 4.4-3

Measure 4.4-3(e) contains errors sufficient to render it unreadable.

The mitigation measures proposed are speculative in nature in that they are only General Plan Policies and will not necessarily be implemented. Additionally, many of these policies are couched in terms of "encouraging" and thus do not meet the Sundstrom test of certainty. The rule of law established in Sundstrom v The County of Mendocino was that because the success of mitigation measures was uncertain, the agency could not have reasonably determined that significant effects would not occur.

The DEIR falls short of this burden of proof. THE IMPACTS THEREFORE REMAIN SIGNIFICANT IMPACTS.

Impact 4.4-4

The first paragraph 10 not 8 species have been observed.

The third paragraph notes that hundreds of acres of habitat would be lost. Rather than hundreds of acres, the result will be the conversion of tens of thousands of acres of habitats including the conversion of over 10,000 acres of habitat for federally listed threatened or endangered species.

The 1,962 acres of natural open space habitat proposed to be preserved will be in the form of restored riparian habitat in Murrieta creek along with an area in Warm Springs. The areas to be preserved will provide a habitat corridor with substantial edge effects and is therefore of questionable value as base habitat. There is no attempt to provide protection of significant habitat areas in spite of the fact that the General Plan states that significant hillside and habitat areas would be designated as open space. There is not one documented instance of this happening within the proposed land use plans.

The mitigation measures proposed are speculative in nature in that they are General Plan Policies and will not necessarily be implemented. Additionally, many of these policies are couched in terms of "encouraging" and thus do not meet the Sundstrom test of certainty. Measure 4.4-4 states "Mitigation measures might do the following:". The rule of law established in Sundstrom v The County of Mendocino was that because the success of mitigation measures was uncertain, the agency could not have reasonably determined that significant effects would not occur.

The DEIR falls short of this burden of proof. THE IMPACTS THEREFORE REMAIN SIGNIFICANT IMPACTS.

Impact 4.4-5

The proposed mitigation for the impacts involve the payment of fees and do not guarantee mitigation. The City is not a member of the Riverside County HCA and therefore its rules do not apply. The City is attempting to put the responsibility for mitigating effects on another agency which may not have a discretionary action and therefore no CEQA power.

RJ-20 The mitigation measures proposed are speculative in nature in that they are only General Plan Policies and will not necessarily be implemented. Additionally, many of these policies are couched in terms of "encouraging" and thus do not meet the Sundstrom test of certainty. The rule of law established in Sundstrom v The County of Mendocino was that because the success of mitigation measures was uncertain, the agency could not have reasonably determined that significant effects would not occur.

The DEIR falls short of this burden of proof. THE IMPACTS THEREFORE REMAIN SIGNIFICANT IMPACTS.

Impact 4.4-6

This section does not even provide a discussion of the potential impacts let alone any discussion of how the proposed mitigation measure will effectively mitigate the potential impacts. The four lines of text devoted to the impacts to rare, threatened or endangered plants would not even be sufficient for a listing of the names of the plants in question.

RJ-21 The mitigation measures proposed are speculative in nature in that they are only General Plan Policies and will not necessarily be implemented. Additionally, many of these policies are couched in terms of "encouraging" and thus do not meet the Sundstrom test of certainty. The rule of law established in Sundstrom v The County of Mendocino was that because the success of mitigation measures was uncertain, the agency could not have reasonably determined that significant effects would not occur.

The DEIR falls short of this burden of proof. THE IMPACTS THEREFORE REMAIN SIGNIFICANT IMPACTS.

Impact 4.4-7

The DEIR did not evaluate land use alternatives or mitigation measures to reduce this potential impact. One measure proposed the addition of an additional habitat

corridor and the other required coordination.

RJ-22

The mitigation measures proposed are speculative in nature in that they are only General Plan Policies and will not necessarily be implemented. Additionally, many of these policies are couched in terms of "encouraging" and thus do not meet the Sundstrom test of certainty. The rule of law established in Sundstrom v The County of Mendocino was that because the success of mitigation measures was uncertain the agency could not have reasonably determined that significant effects would not occur.

The DEIR falls short of this burden of proof. THE IMPACTS THEREFORE REMAIN SIGNIFICANT IMPACTS.

Additional Impacts:

RJ-23

There is no mention of the significant impact of the loss of or fragmentation of thousands of acres of California gnatcatcher habitat.

Additional Mitigation Measures:

Utilize Hazard and Resources Overlay Maps to identify areas suitable or required for retention as open space. Resources and issues identified on the Overlays which indicate open space as an appropriate use may include flood, fire, geologic, aviation, noise, cultural, prime soils, biological, scenic resources, minerals, agricultural preserves, utility corridors, water supply and water recharge.

Adopt policies which clearly state that the City General Plan is the guiding policy and planning document for all agencies within City government. Land use related plans and programs adopted and implemented by individual City agencies shall be required to be consistent with the General Plan.

RJ-24

Because preservation of natural systems requires the establishment of habitat areas larger than can be provided within individual developments, and since many habitat areas are at risk of being lost to urban encroachment, the City shall seek to establish a publicly owned open space system, purchasing land or development rights, or transferring development rights or density, where necessary to prevent development of important open space areas.

Because preservation of natural resources cannot be accomplished only through the use of publicly owned land, the City shall apply the following policies to development and construction proposals on private lands.

- Require that private lands which exhibit unique features, as identified on the Resource Overlay Map or discussed in this Open Space Element, shall maintain those features. Compensation by allowing the transfer of development rights will be the preferred mechanism for accomplishing this goal. "Unique features" may include significant topographic features, ridgelines, habitats for threatened and endangered species, and habitats of limited dispersion in the City.
- Encourage donation or exchange of lands with sensitive biota resources (including, but not limited to, areas shown on the Resources Overlay) to non-profit environmental organizations or responsible agencies (USFS, the Nature Conservancy, etc.).
- Promote common-interest Planned Developments requiring open space and allowing transfer of development rights.
- Apply a Resource Conservation Land Use District in area of public and private open space which by its location, access limitations, natural resources, terrain or scenic qualities is suited for low intensity use.
- Direct growth away from areas containing fragile or erosion-prone soils, especially those which support natural habitats.

Because preservation of large habitat areas can be more successful as a natural resource preservation strategy than preservation of smaller, scattered areas within individual developments, the City supports the concept of "habitat banking," and shall make this type of system available to developers.

Because preservation of natural resources can in many cases be achieved by providing sufficient distance between natural and developed areas, the City shall ensure that roads and buildings have an appropriate setback from riparian corridors. These setbacks shall be based on an engineering inundation analysis and on the wildlife and plant communities within the corridor, and shall consist of at least the following:

- Provide a setback of at least 50 feet from the edge of the mean annual flow area for all intermittent washes designated as "blue lines" on USGS quadrangle maps where riparian communities exist.

- P

- Provide a setback of at least 100 feet from the edge of the mean flow area for all perennial creeks and streams designated as "blue lines" on USGS quad sheet maps.
- Provide a corridor extending to the ridgelines defining the watercourse, or of a size determined by a qualified biologist to be sufficient to maintain wildlife use for all larger riparian areas, such as large creeks and rivers.
- These setbacks may be waived in the case of roadway crossings, roadways on levees adjacent to water courses, or in similar situations where physical separation is not possible or appropriate.
- Where residential uses are closer than 200 feet to an area of sensitive habitat, fencing shall be provided to separate household pets from habitat areas.

Because preservation of rare, threatened, or endangered species depends on the preservation of habitat which supports populations of these species, the City shall implement the following policies:

- Seek to protect and conserve rare or endangered flora and fauna with limited or specialized habitats as well as common habitats necessary to support these species.
- Require all City agencies, including Special Districts and County Transportation/Flood Control Department, to demonstrate that their projects meet the overall Biotic Resource and Open Space policies of the City prior to proceeding. Approval for projects which do not meet with these policies shall be made only when it can be demonstrated that no technically feasible alternative exists.
- Seek to provide protection and management to maintain habitat values where protection of natural areas and endangered species is not provided by another agency.
- Review land use designations to ensure that planned land uses provide adequate protection for natural areas in areas containing known or potential biotic resources or designated as open space, habitat corridors, or proposed trail alignments on the Resources Overlay. This policy shall also apply to areas adjacent to open spaces, corridors, or trail alignments.

Because the development of private lands can adversely affect the management strategies of agencies which administer public lands within or adjacent to the City of Murrieta, the City shall apply the following policies:

- Support the transfer of private inholdings into public ownership through appropriate mechanisms to reduce "checkerboard" ownership.
- Review the planning documents of the public agency to determine the intensity of uses allowed when examining private land uses which are surrounded by public lands. The more restrictive policies shall be applied.

Because damage to natural resources can be prevented by discouraging inappropriate development, the City shall discourage single family residential development proposed within areas with riparian corridors. In all areas with natural habitat values, the City shall encourage development to be clustered or otherwise adapted to protect special habitat areas from damage.

Because preservation of natural resources will require the implementation of new plans and policies, the City shall implement the following actions:

- Establish habitat "land banks" as mitigation for loss of isolated resources.
- Initiate the preparation of Multi-Species Habitat Conservation Plans for all endangered species within the City whose habitats are judged by the state Department of Fish and Game or the federal Fish and Wildlife Agency to be subject to encroachment and destruction by any type of development or resource extraction.
- Prepare a "Protected Species Mitigation Ordinance" specifying specific buffer distances and other considerations which shall apply to all public and private development activities with the potential to affect threatened or endangered species or habitat areas.
- Work with state and federal agencies to identify public lands available for acquisition or exchange.

Conclusion:

The EIR does not provide substantiation that the mitigation measures will mitigate the potential impacts identified. The EIR

merely asserts that the mitigation measures are adequate. There is no attempt to discuss how the proposed mitigation measures will reduce the potential impacts. Had such substantiation been attempted, the authors would have noted that the impacts are still significant according to the criteria of significance below:

Bullets 1,2,4 and 5 page 4.4-21

Mitigation: The CEQA Guidelines, in section 15021 require:

(a) CEQA establishes a duty for public agencies to avoid or minimize environmental damage where feasible.

(1) In regulation public or private activities, agencies are required to give major consideration to preventing environmental damage.

(2) A public agency should not approve a project as proposed if there are feasible alternatives or mitigation measures available that would substantially lessen any significant effects that the project would have on the environment.

(b) In deciding whether changes in a project are feasible, an agency may consider specific economic, environmental, legal, social and technological factors.

(c) The duty to prevent or minimize environmental damage is implemented through the findings required by Section 15091.

(d) CEQA recognizes that in determining whether and how a project should be approved, a public agency has an obligation to balance a variety of public objectives, including economic, environmental, and social factors and in particular the goal of providing a decent home and satisfying living environment for every Californian. An agency shall prepare a statement of overriding considerations as described in Section 15093 to reflect the ultimate balancing of competing public objectives when the agency decides to approve a project that will cause one or more significant effects on the environment.

The DEIR has not met this test and additional mitigation including the re-designation of habitat areas to open space or the lowest possible density.

4.5 Housing and Employment

The EIR does not provide substantiation that the mitigation measures will mitigate the potential impacts identified. The EIR merely asserts that the mitigation measures are adequate. There is no attempt to discuss how the proposed mitigation measures

will reduce the potential impacts. Had such substantiation been attempted, the authors would have noted that the impacts are still significant according to the criteria of significance below:

RJ-26

Bullets 1 and 3 page 4.5-10

The increase of 500% from existing population and the increase of 34% above existing planned population is clearly a significant impact. THIS IMPACT REMAINS A SIGNIFICANT IMPACT.

Section 4.6 Utilities:

AB2583 requires that "the lead agencies determination of whether a project may have a significant effect on the environment be based on substantial evidence in the record". This evidence is lacking.

The EIR does not provide substantiation that the mitigation measures will mitigate the potential impacts identified. The EIR merely asserts that the mitigation measures are adequate. There is no attempt to discuss how the proposed mitigation measures will reduce the potential impacts. Had such substantiation been attempted, the authors would have noted that the impacts are still significant according to the criteria of significance below:

RJ-27

Bullets 1, 4 and 5 page 4.6-5

There is no discussion of the amount of solid waste relative to existing capacity.

Somehow increases of 354% for water and 268% for wastewater are somehow not considered to be significant increases which is the test in the standards of significance.

Section 4.7 Public Services

The two standards for significance are ones of requiring additional staff or equipment or need for new or expanded facilities. Clearly the impacts discussed meet this test even after mitigation.

Impact 4.7-1

The proposed development would require the addition of 53 police officers as well as equipment, facilities, jails, courts etc. This meets the test.

Impact 4.7-2

The proposed development would require the addition of over

RJ-28

145 uniformed fire fighters as well as equipment, structures and support personnel. This clearly meets the test of significance.

Impact 4.7-3

The adequacy of the proposed mitigation depends upon some undisclosed fee. Even with the fee, the proposed development will meet the test of the standards of significance as they are written.

General

The EIR does not provide substantiation that the mitigation measures will mitigate the potential impacts identified. The EIR merely asserts that the mitigation measures are adequate. There is no attempt to discuss how the proposed mitigation measures will reduce the potential impacts. Had such substantiation been attempted, the authors would have noted that the impacts are still significant according to the criteria of significance below:

Bullets 1 and 2 page 4.7-5

The mitigation measures proposed are speculative in nature in that they are only General Plan Policies and will not necessarily be implemented. Additionally, many of these policies are couched in terms of "encouraging" and thus do not meet the Sundstrom test of certainty. The rule of law established in Sundstrom v The County of Mendocino was that because the success of mitigation measures was uncertain, the agency could not have reasonably determined that significant effects would not occur.

The DEIR falls short of this burden of proof. THE IMPACTS THEREFORE REMAIN SIGNIFICANT IMPACTS.

4.8 Transportation and Circulation:

The EIR does not provide substantiation that the mitigation measures will mitigate the potential impacts identified. The EIR merely asserts that the mitigation measures are adequate. There is no attempt to discuss how the proposed mitigation measures will reduce the potential impacts. Had such substantiation been attempted, the authors would have noted that the impacts are still significant according to the criteria of significance below:

Bullets 1 and 2

The analysis indicates that in spite of mitigation, fifteen road segments would function at LOS E or F in direct conflict with Standard of Significance #2

The level of traffic increase is clearly significant relative to

the current traffic levels which is the standard of significance in standard #1.

AB2583 requires that "the lead agencies determination of whether a project may have a significant effect on the environment be based on substantial evidence in the record". This evidence is not present.

The mitigation measures proposed are speculative in nature in that they are only General Plan Policies and will not necessarily be implemented. Additionally, many of these policies are couched in terms of "encouraging" and thus do not meet the Sundstrom test of certainty. The rule of law established in Sundstrom v The County of Mendocino was that because the success of mitigation measures was uncertain, the agency could not have reasonably determined that significant effects would not occur.

The DEIR falls short of this burden of proof. THE IMPACTS THEREFORE REMAIN SIGNIFICANT IMPACTS.

4.9 Air Quality:

Curiously, the DEIR refers to significant "Temporary Construction Impacts". How "temporary" impact which are expected to last 17 years, can be considered temporary defies reason.

Emissions of over 20 tons per day of NOX contrasted to a SCAQMD threshold of 55 pounds per day would appear to be significant. The same would appear to be true for all criteria pollutants.

AB2583 requires that "the lead agencies determination of whether a project may have a significant effect on the environment be based on substantial evidence in the record". In this case there is much evidence that the impacts will be significant and absolutely no substantiation that the mitigation measures will have any impact.

The EIR does not provide substantiation that the mitigation measures will mitigate the potential impacts identified. The EIR merely asserts that the mitigation measures are adequate. There is no attempt to discuss how the proposed mitigation measures will reduce the potential impacts. Had such substantiation been attempted, the authors would have noted that the impacts are still significant according to the criteria of significance below:

Bullets 1 and 2 page 4.9-7.

The mitigation measures proposed are speculative in nature in that they are only General Plan Policies and will not necessarily be implemented. Additionally, many of these policies are couched in terms of "encouraging" and thus do not meet the Sundstrom test of certainty. The rule of law established in Sundstrom v The County of Mendocino was that because the success of

mitigation measures was uncertain, the agency could not have reasonably determined that significant effects would not occur.

The DEIR falls short of this burden of proof. THE IMPACTS THEREFORE REMAIN SIGNIFICANT IMPACTS.

4.10 Noise:

The EIR does not provide substantiation that the mitigation measures will mitigate the potential impacts identified. The EIR merely asserts that the mitigation measures are adequate. There is no attempt to discuss how the proposed mitigation measures will reduce the potential impacts. Had such substantiation been attempted, the authors would have noted that the impacts are still significant according to the criteria of significance below:

Bullets 1 and 3 page 4.10-6

RJ-31

An increase of 3 DBA in residential areas was considered to be significant. In spite of mitigation, the analysis shows that every intersection evaluated exceeded the standard of 3 DBA change.

The mitigation measures proposed are speculative in nature in that they are only General Plan Policies and will not necessarily be implemented. Additionally, many of these policies are couched in terms of "encouraging" and thus do not meet the Sundstrom test of certainty. The rule of law established in Sundstrom v The County of Mendocino was that because the success of mitigation measures was uncertain, the agency could not have reasonably determined that significant effects would not occur.

The DEIR falls short of this burden of proof. THE IMPACTS THEREFORE REMAIN SIGNIFICANT IMPACTS.

4.11- Health and Safety

The EIR does not provide substantiation that the mitigation measures will mitigate the potential impacts identified. The EIR merely asserts that the mitigation measures are adequate. There is no attempt to discuss how the proposed mitigation measures will reduce the potential impacts. Had such substantiation been attempted, the authors would have noted that the impacts are still significant according to the criteria of significance below:

Bullets 2 and 3 page 4.11-6

RJ-32

The substantial increase in the number of residential units in steep slope areas of natural vegetation will be a clearly significant impact. If the development will replace native vegetation with exotic species is the mitigation then that will

clearly result in a significant impact to biotic resources.

The mitigation measures proposed are speculative in nature in that they are only General Plan Policies and will not necessarily be implemented. Additionally, many of these policies are couched in terms of "encouraging" and thus do not meet the Sundstrom test of certainty. The rule of law established in Sundstrom v The County of Mendocino was that because the success of mitigation measures was uncertain, the agency could not have reasonably determined that significant effects would not occur.

The DEIR falls short of this burden of proof. THE IMPACTS THEREFORE REMAIN SIGNIFICANT IMPACTS.

4.12 Aesthetics/views

The EIR does not provide substantiation that the mitigation measures will mitigate the potential impacts identified. The EIR merely asserts that the mitigation measures are adequate. There is no attempt to discuss how the proposed mitigation measures will reduce the potential impacts. Had such substantiation been attempted, the authors would have noted that the impacts are still significant according to the criteria of significance below:

Bullets 1,2,3,4 and 6 page 4.12-12

Proposed development of the Antelope Hills at 2 units per acre will clearly result in the loss of the existing visual character of the area.

AB2583 requires that "the lead agencies determination of whether a project may have a significant effect on the environment be based on substantial evidence in the record". While there is substantial evidence with regard to the impacts there is no substantiation that the proposed mitigation measures will reduce the impacts.

The mitigation measures proposed are speculative in nature in that they are only General Plan Policies and will not necessarily be implemented. Additionally, many of these policies are couched in terms of "encouraging" and thus do not meet the Sundstrom test of certainty. The rule of law established in Sundstrom v The County of Mendocino was that because the success of mitigation measures was uncertain, the agency could not have reasonably determined that significant effects would not occur.

The DEIR falls short of this burden of proof. THE IMPACTS THEREFORE REMAIN SIGNIFICANT IMPACTS.

4.14 Cultural Resources:

The impacts associated with the tremendous growth of population and associated major streets were not adequately identified and

discussed. There is no discussion of the impact of a six lane Washington avenue on the historic structures in Historic Murrieta. It did not evaluate the visual impact of the incongruity of this six lane monster in the quaint rural atmosphere. Perhaps that was because of the fact that the construction of the proposed road would destroy all the historic buildings and therefore there would be no conflict. This was not discussed either. There was no discussion of potential impacts to the 72 structures of historic significance.

AB2583 requires that "the lead agencies determination of whether a project may have a significant effect on the environment be based on substantial evidence in the record". There is no such evidence in the record.

RJ-34 The EIR does not provide substantiation that the mitigation measures will mitigate the potential impacts identified. The EIR merely asserts that the mitigation measures are adequate. There is no attempt to discuss how the proposed mitigation measures will reduce the potential impacts. Had such substantiation been attempted, the authors would have noted that the impacts are still significant according to the criteria of significance below:

Bullets 1 and 3 pages 4.14-3 and 4

The mitigation measures proposed are speculative in nature in that they are only General Plan Policies and will not necessarily be implemented. Additionally, many of these policies are couched in terms of "encouraging" and thus do not meet the Sundstrom test of certainty. The rule of law established in Sundstrom v The County of Mendocino was that because the success of mitigation measures was uncertain, the agency could not have reasonably determined that significant effects would not occur.

The DEIR falls short of this burden of proof. THE IMPACTS THEREFORE REMAIN SIGNIFICANT IMPACTS.

Section 5: CEQA Considerations:

5.1 Growth Inducing:

RJ-35 Page 5-2 makes the assertion that the proposed development is not substantially greater than the levels allowed under SWAP. This flies in the face of the fact that the population will exceed SWAP by 34-50%. Does it have to become 500 % greater or 5,000 % greater to be considered significant. If the author of the report were to receive a raise of 10% I'm certain he would consider that to be significant. Why not the 34-50% increase. THIS PROJECT IS CLEARLY GROWTH INDUCING.

5.2 Short Term Uses

The conversion of over 10,000 acres of habitat for rare and

RJ-36

endangered species to urban uses is clearly a short term use which forecloses the possibilities for long term productivity. Once the conversion has occurred, there is no going back. The options have been foreclosed at that point. THIS RESULTS IN A SIGNIFICANT IMPACT.

5.3 Cumulative Impacts:

The project will have significant cumulative impacts if:

The project has possible environmental effects which are individually limited but cumulatively considerable. As used in the subsection, "cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connections with the effects of past projects, the effects of other current projects and the effects of probable future projects.

RJ-37

The discussion of Cumulative impacts treats this project as if it were in a vacuum. It does not recognize the current growth in the City of Temecula, Lake Elsinore or the communities of Wildomar and Menifee. These projects when combined with the City of Murrieta will result in an increase in population of over one half million people. This fact was not even mentioned let alone considered in the analysis. CUMULATIVE IMPACTS FROM WILL RESULT IN SIGNIFICANT IMPACTS TO: TRAFFIC AND CIRCULATION, AIR QUALITY, BIOLOGICAL RESOURCES, PUBLIC FACILITIES, NOISE, HOUSING/POPULATION, LAND USE, AESTHETICS, CULTURAL RESOURCES AND WATER QUALITY AT A MINIMUM.

Section 6: Alternatives:

RJ-38

The alternatives presented did not provide a reasonable range of alternatives. Alternatives should have been considered which reduced impacts to population, land use, circulation, biological resources, cultural resources etc. The consideration of an alternative with a population in the range of 90,000-100,000 people, restricting development on steep hillsides and protecting habitat areas for rare and endangered species would have provided significant reductions to the impacts identified in the project.

The discussions of the relative impacts are cursory at best with no substantiation of the relative impacts. Once again an increase of 34 % in population was not considered to be significantly different.

GENERAL COMMENTS:

The thought that an EIR for a project of this magnitude would find that there is only one project specific significant impact, conversion of vacant and agricultural lands to suburban uses, and one cumulative impact, impact to biological resources, would be laughable if the consequences were not so dire. This document appears to directly contradict the intent of CEQA.

There are clearly additional mitigation measures available or alternatives available, or which could be structured, which could further reduce these impacts.

The CEQA Guidelines, in section 15021 require:

(a) CEQA establishes a duty for public agencies to avoid or minimize environmental damage where feasible.

(1) In regulation public or private activities, agencies are required to give major consideration to preventing environmental damage.

(2) A public agency should not approve a project as proposed if there are feasible alternatives or mitigation measures available that would substantially lessen any significant effects that the project would have on the environment.

(b) In deciding whether changes in a project are feasible, an agency may consider specific economic, environmental, legal, social and technological factors.

(c) The duty to prevent or minimize environmental damage is implemented through the findings required by Section 15091.

(d) CEQA recognizes that in determining whether and how a project should be approved, a public agency has an obligation to balance a variety of public objectives, including economic, environmental, and social factors and in particular the goal of providing a decent home and satisfying living environment for every Californian. An agency shall prepare a statement of overriding considerations as described in Section 15093 to reflect the ultimate balancing of competing public objectives when the agency decides to approve a project that will cause one or more significant effects on the environment.

The DEIR does not meet the requirements of CEQA.

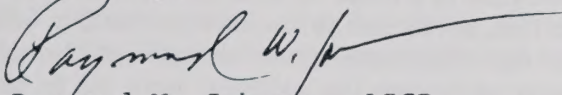
The rule of law established in *Sundstrom v The County of Mendocino* was that because the success of mitigation measures was uncertain, the agency could not have reasonably determined that significant effects would not occur. The mitigation measures proposed do not pass the test of *Sundstrom*, of being of sufficient detail to insure that they will be effective in mitigating the potential impacts of the project.

Throughout the document there is inadequate discussion of the potential impacts of the proposed project. In addition, there is no substantiation, or even attempt at it, that the measures proposed will result in adequately mitigating potential impacts. AB2583 requires that "the lead agencies determination of whether a project may have a significant effect on the environment be

based on substantial evidence in the record". There is no such substantial evidence in the record. AB2583 further makes the legislative declaration that noncompliance with CEQA may constitute prejudicial abuse of discretion. There seems to be substantial evidence that this is the case.

A supplemental EIR should be prepared to correct the inadequacies of this document. The document, as it now stands, is clearly not legally defensible.

Sincerely,

A handwritten signature in cursive script, appearing to read "Raymond W. Johnson".

Raymond W. Johnson, AICP
Union for a River Greenbelt Environment.
41687 Cayente Ct.
Murrieta, CA 92562

LETTER 19 - JOHNSON, RAYMOND

RJ-1 Because this is a program-level EIR rather than a project-level EIR, it is not feasible nor necessary to provide a great deal of specificity about impacts related to future development and changes in land use. To do so would be overly speculative. As a result, the mitigation appropriate at this level of analysis is also general in nature. The policies contained in the proposed General Plan provide the type of general mitigation appropriate for a long-range policy document of this type. As needed, the EIR proposes revised policy language or new policies to further offset potentially significant adverse impacts. It cannot be assumed that policies of the General Plan will not be implemented and that impacts would not be mitigated as a result. It must be assumed that the City will abide by the policies of the General Plan, as required by law, and that the City will formulate and adopt mechanisms (in the form of regulations and programs) to implement General Plan policies. It is through such implementation mechanisms that additional detail will be set forth to provide further mitigation for potential impacts. The EIR preparers must assume that adequate implementation regulations, programs, and procedures will subsequently be adopted. The focus of the EIR analysis is on determining whether the policies of the proposed General Plan provide adequate direction for the formulation subsequent implementation mechanisms. Since Murrieta is a new City, the primary mechanism for implementing the policies of the Land Use Element and regulating new development (the zoning ordinance) has not yet been prepared and, therefore, its effectiveness in implementing the General Plan and mitigating potential impacts cannot yet be evaluated.

It must also be recognized that a City has full authority and discretion to establish policies regarding the future type, pattern, and intensity of land use within its corporate boundaries. Such policy decisions cannot be considered adverse, even if they would permit a substantial change in land use patterns and intensities. The City is charged with the responsibility for establishing these policies and it is not the purpose of the EIR analysis to judge the wisdom of these policy decisions. The purpose of the EIR is to describe the environmental consequences, in general terms, of adopting and implementing the proposed policies.

The commentor's concerns are noted regarding the uncertainty of the proposed mitigation's ability to ensure that future impacts will be adequately reduced. Unfortunately, since the mechanisms for implementing these measures have not yet been formulated and, therefore, are not a part of this project, this EIR cannot resolve this concern. The zoning ordinance and other implementing mechanisms will be subject to environmental review and review for consistency with the General Plan when they have been prepared. The General Plan policies state the City's intent to avoid or reduce adverse impacts to the environment through its various regulations, programs, and procedures and, therefore, each of these implementation mechanisms will need to be designed to carry out the intent of the General Plan.

Due to the nature of this project (a General Plan) and type of EIR (a program EIR), it is not clear that the findings of the Sundstrom case regarding EIR mitigation measures are fully applicable in this circumstance. The commentor is referred to response FOAD-1 (Letter 14 - Friends of the Alamos District) regarding program-level EIRs.

RJ-2 The Draft EIR identifies ground shaking as a hazard related to all fault zones in the region, including local faults. The EIR also indicates that ground fissuring is another hazard related to seismic activity along local fault zones. Specific information about liquefaction, landslide, and subsidence hazard in the City is also discussed, although the Draft EIR does not specifically link these hazards to local faults (strong local ground motion could trigger these hazards even if the

earthquake occurs on a distance fault). The commentor is correct that the maximum credible earthquake for local faults is not presented in the Draft EIR. The maximum credible earthquake is M7.5 for the San Jacinto Fault, M7.1 for the Wildomar Fault, and M6.0 for the Elsinore Fault. It should be noted that more detailed information on geologic conditions in the City is presented in the City's Master Environmental Assessment which has been incorporated into the Draft EIR by reference.

Potential effects related to modification of landform are discussed in Section 4, Page 4.12-8 (Aesthetics/Views).

RJ-3 Comment noted. Complete grading and sedimentation standards have not yet been developed. The City will need to complete this task as a subsequent effort to the General Plan.

RJ-4 In response to this concern, it is recommended that the wording of mitigation measure 4.2-1(b) be revised as follows:

4.2-1(b) *An erosion and sediment control plan ~~a should~~ shall be implemented for the grading and construction phases of ~~major new development construction~~ projects, with particular attention given to ~~and~~ projects proposed in areas with slopes over 25 percent. In accordance with City guidelines, specific erosion control measures should be designed by the project team and reviewed by the City prior to issuance of a grading or construction permit.*

RJ-5 Comment noted.

RJ-6 Please refer to responses RJ-1 and FOAD-1.

RJ-7 Please refer to responses RJ-1 and FOAD-1.

RJ-8 Although there will be a substantial increase in impervious surface area upon build-out of the General Plan area, implementation of standard measures for controlling runoff combined with future flood control improvements will reduce potentially adverse effects. While there will be an incremental increase in surface runoff, these increases will be anticipated through the development review process and it should be possible to maintain impacts at acceptable levels through measures and improvements implemented at that time. Similarly, measures can be implemented during the review of individual projects to minimize the loss of area needed for groundwater recharge. Also see Letter 8, response to comment EMA-1.

RJ-9 Correction noted. The Draft EIR is hereby amended to incorporate this correction.

RJ-10 Please see response to comment FOAD-26. The Figure is not intended to show the area of SKR habitat, but is limited to depicting non-species specific habitat areas and approximate locations of individual species occurrences known at the time the EIR was prepared. Also please refer to the footnote for the Figure which states that the map is for conceptual use and that significant habitat areas may exist within the General Plan area that are not shown.

RJ-11 At the time of this response, the environmental studies conducted within the Cole Canyon area did not indicate the presence of Least Bell's Vireo. This area is currently undergoing further

biological study and if the species is present mitigation measures will be required of the project that is proposed in the area.

- RJ-12 The discussion of the California Gnatcatcher in the Draft EIR has been revised to state that the Gnatcatcher is federally listed as threatened and this change has been made in Table 4.4-1. Information on the presence of the Gnatcatcher was derived from the California Natural Diversity Data Base and a review of all known available literature at the time the MEA was prepared. At the time of this response additional occurrences of the Gnatcatcher have not been verified, however, as additional information on sensitive species is documented, projects will be required to comply with all applicable federal and state regulations.
- RJ-13 Comment noted.
- RJ-14 Correction noted.
- RJ-15 Please refer to responses RJ-1 and FOAD-1.
- RJ-16 Impacts resulting from habitat fragmentation are discussed in a general sense, without reference to specific species. These fragmentation impacts would effect all species which depend on these habitats, including the Stephens' kangaroo rat and the California gnatcatcher. It should be noted that more detailed information on biological resources in the City is presented in the City's Master Environmental Assessment which has been incorporated into the Draft EIR by reference. Please refer to responses RJ-1 and FOAD-1 regarding adequacy of mitigation. Also see RJ-22 below.
- RJ-17 The discussion under Impact 4.4-2 does not cite the number of acres of habitat which will be lost, but it does indicate that significant habitat areas would be replaced by urban development. Species of concern which would be impacted by this habitat loss are discussed under Impact 4.4-4. The City's MEA, which has been incorporated by reference, provides greater detail about habitats in the City and sphere of influence and the species which utilize these habitats.
- RJ-18 Mitigation Measure 4.4-3(e) in the Draft EIR is hereby amended as follows:

4.4-3 *The City shall require that all wetlands avoided and/or ~~other appropriate non-profit agency~~ otherwise preserved, shall be dedicated to the City ~~or~~ or other non-profit entity, ~~preserved~~ through covenants enforceable by the City to ensure their maintenance and survival in perpetuity.*

Also please see Letter 17, response to comment FOAD-2 and response RJ-1 above.

- RJ-19 Page 4.4-25 of the Draft EIR is hereby amended to reflect that 10 special-status species have been observed in the study area and that thousands not hundreds of acres could be converted to urban use with build-out of the General Plan area.

It is agreed that the proposed land use plan has the potential to impact significant areas of natural habitat, however, the mitigation measures proposed in the EIR in combination with proposed General Plan policies are considered adequate to support preservation of the City's most valuable habitat and sensitive species. Edge effects are addressed in Mitigation Measure 4.4-2(a) on Page 4.4-23. Preservation of hillside areas, ridgelines and creeks are addressed by mitigation measures

4.12(a) through 4.12(c) in the Aesthetics/Views section of the EIR. Also please see response to comment RJ-1.

RJ-20 Comment noted. All references that the City is a member of the HCA have been deleted from the Draft EIR. Also please see response to comment RJ-1.

RJ-21 The names of the plants in question are referenced as being included in Table 4.4-1. A detailed attempt to quantify impacts on sensitive plant species is considered too speculative. Determining future conditions in the City and specific characteristics of future development would be extremely speculative over the period that buildout of the City could occur, therefore, mitigation measures are also somewhat speculative and have to be general in nature. The EIR analysis has to assume that the mitigation measures in the EIR and policies proposed in the General Plan will be carried out by the City. Also please see response to comment RJ-1 above and Letter 17, response to comments FOAD-7, 8, and 11.

RJ-22 The mitigation measures proposed directly address the impact and are considered to be adequate to reduce potential impacts on the Santa Rosa Plateau Ecological Reserve to a less-than-significant level. Also see Mitigation Measure 4.4-1(b).

RJ-23 Please see the discussion of Impact 4.4-1 and refer to Mitigation Measure 4.4-1(b) and policy COS-2.1c.

RJ-24 Please see response to comment FOAD-36. The policies developed for the General Plan were the result of extensive citizen input, GPAC input and staff input, however, they are not intended to be exhaustive. Your suggestions for additional policies and mitigation measures are noted and will be considered in the approval process for the General Plan.

RJ-25 Please see response to comment RJ-1.

RJ-26 See Letter 17, response to comments, FOAD-2, FOAD-11, and RJ-1 above. An alternative to the General Plan as proposed that substantially reduces population growth is presented in Chapter 5.

RJ-27 The discussion of utility impacts substantiates that serving agencies anticipate that they will be able to extend services as growth occurs in the City over time. The fundamental question considered in determining the level of significance of stated impacts after mitigation is whether there are appropriate policies and procedures in place and proposed to help guide future growth. It is assumed that existing City procedures, proposed policies and implementation programs, and project by project review will be adequate to ensure that utilities are readily available prior to approval of new development.

RJ-28 Please see previous response. The analysis assumes that growth in the City will occur incrementally over time as influenced by market conditions and also assumes that much of the growth in the City and resultant impacts on public services will be addressed on a project-by-project basis. See response to comment RJ-1.

RJ-29 Significance of traffic impacts are determined based on existing conditions and as stated in the EIR they are considered significant. Impacts after mitigation are considered to be less-than-significant following implementation of the policies proposed in the General Plan. Please see response to comment RJ-1.

- RJ-30 As growth occurs incrementally over time impacts from construction will tend to be intermittent and short-term in nature. The potential impacts on air quality have to be considered after implementation of proposed General Plan policies. The policies proposed in the General Plan are extensive and are intended to support full compliance with South Coast Air Quality Management District regulations. Policies also support compliance with the South Coast Air Quality Management Plan and federal and state regulations through an on-going cooperative regional effort. Also please see response to comment RJ-1.
- RJ-31 The related General Plan policies listed in each individual section of the EIR and the mitigation measures themselves are intended to provide the reader with an understanding of how impacts will be reduced by mitigation. An expanded discussion of how these policies might apply to individual projects over time is considered extremely speculative and as such has not been provided.
- RJ-32 There are no bullets on Page 4.11-6, however, mitigation of hillside development is set forth in the Visual/Aesthetics section of the EIR. Also see response to comment RJ-1.
- RJ-33 See response to comment RJ-31 and response to comment RJ-1.
- RJ-34 Please see response to comment RJ-1, FOAD-2, FOAD-26. The policies provided are considered adequate in establishing a framework for consideration of future planning activities that could impact historic resources.
- RJ-35 The discussion of growth-inducing effects in the Draft EIR has been revised as follows:

Growth-inducing impacts are considered to be those effects of a project that result in growth beyond that proposed by the project itself. A project is generally considered growth-inducing if it results in the extension of urban services, infrastructure, or a transportation corridor into a previously unserved area or, removes a major obstacle to growth. The proposed City of Murrieta General Plan would result in growth inducing impacts by ~~and the extending sion of~~ infrastructure into previously unserved and underserved areas. Impacts would also result due to an estimated 34.5 percent increase in population growth over the levels projected for the study area in the SWAP. The SWAP has served as the basis for regional growth projections used by SCAG for areas of the county that include the City and Sphere. ~~However, the growth projected under the proposed Land Use Element is not substantially greater than the levels allowed under the Southwest Area Plan which is the basis for the current growth projections anticipated by SCAG.~~

While the growth-inducing impacts of the project are considered significant, the environmental impacts of this growth has been analyzed in this EIR and General Plan policies and mitigation measures have been identified that should help ensure that growth is well planned and proceeds in an orderly manner. Furthermore, the analysis of impacts in this document are presented to help foster a decision making process that will need to balance environmental considerations with economic and social objectives in determining the type and amount of growth seen as appropriate for the community.

- RJ-36 Comment noted.

RJ-37 The impacts analyzed in the EIR are considered cumulative in nature and take into account the effects of numerous projects throughout the study area and where appropriate the region. For example, impacts on traffic, air quality, and noise that are quantified in the Draft EIR take into account regional growth in adjacent cities and unincorporated areas of the county.

RJ-38 See response to comment FOAD-34.

RJ-39 Please see the responses to following comments: FOAD-1, FOAD-11, FOAD-12, FOAD-23, FOAD-26, FOAD-36, RJ-1, RJ-24, and RJ-31. With the revisions provided in this document the EIR for the Murrieta General Plan provides a level of analysis that is appropriate for a program level General Plan EIR. The EIR is considered to be in full compliance with CEQA.

☉ MURRIETA HIGHLANDS ☉

January 25, 1994

Fred Buss
City of Murrieta
26442 Beckman Court
Murrieta, Calif. 92562

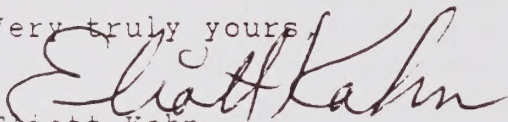
RE: E.I.R. Comments

Dear Fred:

In reviewing the E.I.R. document I noticed that the Project Description and the Project Location map, in the Appendix, do not reflect the Sphere of Influence per the latest N.O.P.. Could you please make sure that this is corrected before public circulation?

Thank you, in advance, for your attention to this matter!

Very truly yours,


Elliott Kahn

PROJECT BACKGROUND

Project Title: The City of Murrieta General Plan.

Project Location: The City of Murrieta, County of Riverside, California

The City of Murrieta, incorporated July 1, 1991 encompasses approximately 25 square miles in the southwest portion of Riverside County (see Figure 1 and 2). The City is bordered by the City of Temecula to the south, the unincorporated community of Wildomar to the north, and areas of unincorporated Riverside County to the east and west. Interstate 15 and Interstate 215 pass through the City and converge near its southern boundary.

The City is located in the Temecula Valley Region. The Santa Ana Mountains and the Santa Rosa Plateau are located directly to the west, the Santa Margarita and Agua Tibia Ranges are to the south, and the San Jacinto ranges lie approximately 33 miles to the east.

The City is approximately 80 miles southeast of Los Angeles; 65 miles north of San Diego; and 45 miles south of Riverside. The Riverside/San Diego County boundary lies 6.5 miles to the south of the City.

Project Description: The project involves preparation of a comprehensive General Plan for the City of Murrieta. The plan will include the State mandatory elements of Land Use, Housing, Circulation, Open Space, Conservation, Noise, and Safety. An optional Air Quality Element will also be prepared.

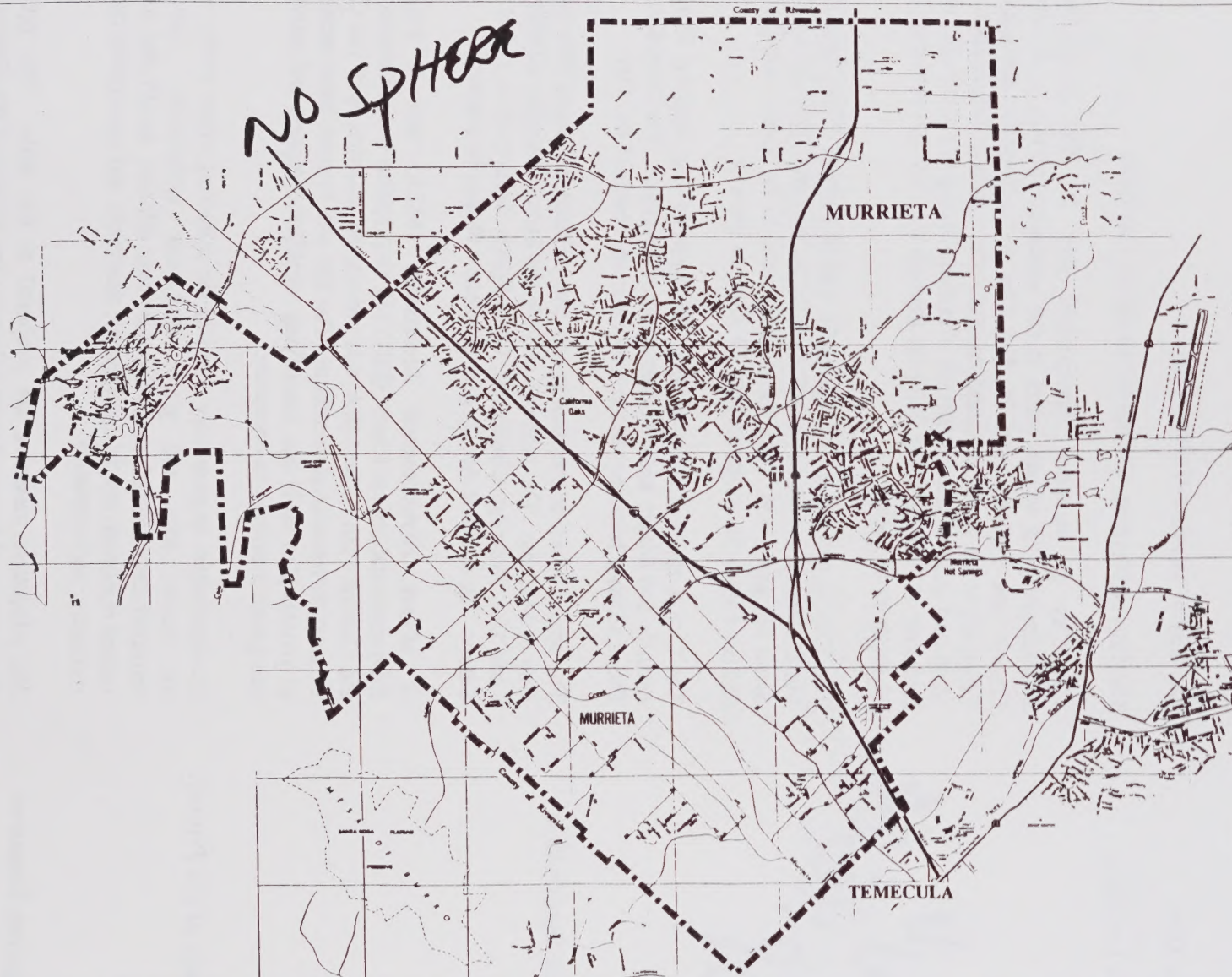
A Master Environmental Assessment (MEA) and a program Environmental Impact Report (EIR) will be prepared in conjunction with the General Plan. The MEA will provide an assessment of the City's existing environmental conditions. The EIR will forecast those conditions at general plan build out, identifying significant impacts and providing mitigation measures as necessary.

Impacts of the Project: Environmental impacts may occur in the following areas: earth; water; air; noise; light and glare; land use; population; housing; transportation/circulation; public services; utilities; health and safety; natural resources; risk of upset; parks, recreation, and open space; cultural resources; and aesthetics.

Mitigation Measures: No mitigation measures are proposed at this time. The program Environmental Impact Report will study the impacts of the General Plan and, after analysis, assess where mitigation measures may be necessary to reduce identified impacts. A Mitigation Monitoring Program will be prepared and adopted following the certification of the Final EIR.

Project Location

Figure 2



LETTER 20 - KAHN, ELLIOT (January 25, 1994)

EK-1 A correct project location map was circulated to all agencies and parties that received the Notice of Preparation and the circulation period was extended to accommodate any additional comments. Figure 2-2 in the Draft EIR and the entire analysis is based on a corrected version of the map that includes the sphere of influence.

LUCE, FORWARD, HAMILTON & SCRIPPS

ATTORNEYS AT LAW
FOUNDED 1873

JEFFREY A. CHINE

DIRECT DIAL NUMBER: (619) 699-2545

FEB 0 8 1994

JPA ASSOCIATES
SAN DIEGO, CA

CONFIRMATION COPY

February 2, 1994

VIA FACSIMILE AND U.S. MAIL

Steven G. Harding
Director of Planning Department
City of Murrieta
26442 Beckman Court
Murrieta, California 92562

Re: Comments to City of Murrieta General Plan Draft Environmental
Impact Report

Dear Mr. Harding:

This law firm represents Abode Springs, Ltd., the owner of approximately 263 acres in the City of Murrieta known as Adobe Springs. Adobe Springs, Ltd. welcomes the opportunity to comment upon the City's draft General Plan and participate in the public review and approval process.

Enclosed herewith are suggested revisions to the proposed General Plan, focusing primarily upon language submitted by Murrieta Valley Unified School District (the "District") and adopted by the Murrieta General Plan Advisory Committee on January 26, 1994. Adobe Springs, Ltd. concurs with the District that schools are an essential public facility and necessary component of any community's general plan. As the "constitution for development," the Murrieta General Plan should inform all City residents, land owners and school districts of the goals and policies which will guide the City's land use decisions as they affect schools.

In exercising its development approval powers, the City will be called to balance many competing interests. For example, the California Supreme Court recently commented upon the duty of city councils to maintain a "balance between each [school] district's need to fund school construction caused by residential development and the community's need to ensure an adequate supply of affordable housing." (Grupe Development Co. v. Superior Court (1993) 4 Cal.4th 911, 919.) Indeed, in addition to acknowledging the importance of schools, the Draft General Plan seeks to encourage future economic growth and strives to provide a suitable living

LUCE, FORWARD, HAMILTON & SCRIPPS

ATTORNEYS AT LAW
FOUNDED 1873

Steven G. Harding
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environment for all economic segments of the population, including low and moderate income households.

The language recently proposed by the District would compel the City to sacrifice other interests in favor of "full school mitigation," the determination of which the school districts reserve to themselves. As proposed by the District, the General Plan would abdicate the City's land use decision-making authority to local school districts by making all development within the City contingent upon the execution of a mitigation agreement between the affected school districts and developer. The District's language grants school districts unfettered discretion to impose the conditions or exactions upon development it deems appropriate. The City would, in essence, delegate its approval power over all development in the City to the school districts. This sweeping language undoubtedly violates established state law.

Unlike the decision-making process of the City, which must take into account the goals of economic development, affordable housing and other concerns, school districts are single purpose agencies. The City would be powerless to implement the diverse goals and policies of its General Plan if the school districts are granted the power to "veto" all development within the City by imposing mitigation requirements over which it would have sole discretion. Developers faced with such uncertainty will simply choose to take their business elsewhere. As a result, the City will not recognize the important objectives articulated in the Housing, Land Use, Economic Development, and other elements of the General Plan.

The enclosed language simply returns to the City the authority to implement its General Plan. We believe these revisions are reasonable and encourage school district involvement in a cooperative effort between the City, parents and land owners to ensure that children in Murrieta obtain the finest public education available while also providing the City with sufficient flexibility to attain its other planning goals.

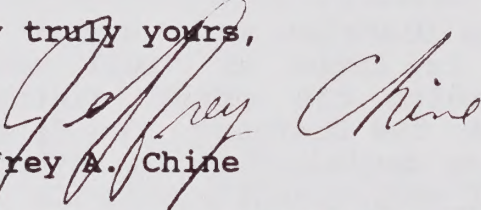
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FOUNDED 1873

Steven G. Harding
February 2, 1994
Page 3

Please do not hesitate to contact me with any questions, comments or clarifications regarding the proposed revisions.

Very truly yours,



Jeffrey A. Chine
for
Luce, Forward, Hamilton & Scripps

JAC/lml
Enclosure

cc: Jack F. Van Haaster, Mayor
Frederick W. Buss, Assistant Director of Planning
Mr. Bill Weatherby
Mr. Bill Kennedy
Thomas A. May, Esq.

Adobe Springs, Ltd. Proposed Revisions to General Plan

(to be added or changed in Draft EIR on pages 4, 7-3 and in General Plan on pages LU-21, LU-47, LU-50, H-28, ED-12, GI-2, and GI-12)

Objective LU-3 - Adequate Public School Facilities Adequate public school facilities ~~must be provided~~ to serve new development.

Policies: LU-3.-a: ~~No development proposal shall be approved and no building permit will be issued in connection with a non-legislative development project without written verification from the appropriate school district that the project proponent has reached a mitigation agreement with that school district. tendered school mitigation fees in accordance with applicable state law.~~

LU-3.-b: ~~If adequate public school facilities are not available at the time to house students generated by development anticipated in connection with a proposed legislative approval is sought action, the City shall defer the legislative approval until such time as an approved mitigation agreement exists between applicant and school district to provide needed facilities not approve the requested legislative action until the City determines that adequate public school facilities will be available concurrently with the need therefor. The City will consult with the affected school districts to determine, in the City's discretion, the impact of the proposed legislative action upon schools, the adequacy of public school facilities and appropriate mitigation measures, if any.~~

LU-3.-c: ~~The City will coordinate with the school district to assure adequate school facilities and will use the most recent Master Plan and Impact Mitigation Study prepared by the school district.~~

LU-3.-d: ~~All development proposals of 75 gross acres or more not within a Master Plan or Specific Plan shall be evaluated by the appropriate school district and the City, in consultation with the appropriate school district, for the possible inclusion/reservation of a 10 net usable acre elementary school site.~~

Objective LU-5.1

Public Facilities and Revitalization Establish and maintain a redevelopment area program in the City of Murrieta to provide needed public facilities (including schools) and revitalization.

Change Table III-3 on Page H-28 under "School District Fee" to say \$1.65 per sq. ft. as ~~partial mitigation~~ or as otherwise mandated by state law.

ED-4.2d: A master plan of infrastructure and related capital improvements shall embody a wide variety of separate improvement and finance plans by reference such as a master plan of Drainage, parks, Recreation master Plans, City Capital Improvement Plan, Redevelopment Project Area Plans, Utility Company Improvement Plans, School District Plans, etc., and clearly identify need for additional improvement, funding, and coordination when the service capacity of referenced plans is not consistent with General Plan growth policy for Murrieta.

ED-4.2e: Large-scale development projects ~~seeking legislative approvals from the City~~ shall include a financing plan for infrastructure and related capital improvement that is consistent and coordinated with the ~~City and other public agencies'~~ master plans of infrastructure approved by the City.

ED-4.2f: The master plan of infrastructure and related capital improvements will be developed in accordance with guidelines and policies established by the City and will be subject to the review and approval of the City following public review and comment.

GI-2: Adequate Public School Facilities
A ~~The City will determine the adequacy of school facilities, in its discretion following consultation with affected school districts, taking into account (among other relevant factors) the availability of interim and permanent school facilities built to State Office of Local Assistance standards, consisting of 30% portables, which contains permanent core facilities including but not limited to classrooms, offices, library, multi-purpose rooms, restrooms, and physical education facilities, all built to Office of Local Assistance standards and which are~~

~~aesthetically compatible with the surrounding neighborhood.~~

GI-13: Infrastructure
Public services and facilities, such as sewage-disposal systems, water-supply systems, other utility systems, schools, and roads.

Change Map - Figure 11-9, School District Boundaries and Facilities, on page LU-21 to reflect current boundaries.

LETTER 21 - LUCE, FORWARD, HAMILTON & SCRIPPS (February 2, 1994)

Please refer to Letter 9, response to comment MUSD-1.

1/24/94

To: Murrieta General Plan Committee and City Council
 Re: Murrieta General Plan
 From: Steve Mitchell and Katharine Gring
 33520 Mona Lane
 Winchester, CA 92521

Steve Mitchell
Katharine Gring

After reviewing the plan, we have the following comments and would appreciate your response to them. Our comments apply specifically to the county area in which we live, currently in Murrieta's sphere of influence.

1.) We think that your targeted population ceiling and associated population densities are way too high and need to be reduced by half or more in order to preserve Murrieta's quality of life, beauty and, most importantly, the effectiveness of city services per capita. Your current population target would destroy what drew us to Murrieta originally. Coming from Moreno Valley we can assure you that BIG DREAM, high-density population planning is improper for Murrieta and would undoubtedly bring with it the problems Moreno Valley experienced with such an approach (poor city services; inadequate, overcrowded schools; heavy traffic congestion and crime). Especially in these times of economic uncertainty (e.g., a continuing 4 year recession, the phasing out of March AFB, the closure of many local retail businesses...), we would think that you would be planning much more conservatively than you seem to be. Recommendation: A.) REDUCE THE PLANNED POPULATION TARGET BY HALF OR MORE FOR THE PERIOD COVERED.

M&G-1

2.) An immediate example of the current plan's short sightedness in relation to service provision and quality of life issues is evident in the lack of park and open space planned. Open space needs to be retained throughout northern Murrieta. Because the large agricultural tracts in this area currently fulfill this need, they need to be preserved. You should be aware as well that Riverside County is in the top ten counties statewide in terms of value of production (worth over a billion dollars a year). Successful enterprises like Riverside agriculture should be encouraged not planned out of existence. Recommendations: A.) PLAN FOR MUCH GREATER PARK SPACE. B.) PLAN FOR PARK SPACE THAT IS CITY-WIDE IN NATURE AND NOT TIED TO SPECIFIC HOUSING TRACTS. C.) PLAN FOR MUCH GREATER OPEN SPACE AND DO THIS BY PRESERVING IF NOT ENCOURAGING AGRICULTURE IN THE CITY.

3.) An important and alarming gap in the current plan is the fact that much of the planned tract/higher density residential development falls within, if not in the middle of, the Warm Springs Creek drainage. This in fact will soon be, upon its completion, the flood plain for the huge Domenigoni Reservoir. The possibility of an earthquake ruptured dam and resultant flood in this drainage is NOT REMOTE as recent events in Northridge have shown. Recommendation: A.) AN EIS SHOULD BE CONDUCTED FOCUSING ON THE EFFECTS OF DOMENIGONI DAM FAILURE ON RESIDENTIAL DEVELOPMENT PLANNED FOR THE WARM SPRINGS CREEK DRAINAGE. B.) THE POSSIBILITY OF SUCH A DISASTER MEANS THAT HOUSING SHOULD PROBABLY NOT BE LOCATED CLOSE TO THE CREEK AND THAT RESIDENTIAL DENSITIES BE SERIOUSLY REDUCED IN THIS DRAINAGE. C.) THE WISEST USE OF THE AREA ADJACENT TO EITHER SIDE OF THE CREEK BED FOR SEVERAL HUNDRED

M&G-2

YARDS, THEREFORE, MIGHT BE AS A PARK/GREENBELT AND WE WOULD APPRECIATE YOU EXAMINING THIS POSSIBILITY IN DETAIL.

4.) Most of us currently, in what would become northern Murrieta, are dependent on our own wells. The proposed housing tracts in the area would rapidly deplete our localized, low-yield aquifers and adversely impact most current residents in this area.

Recommendation: A.) CONDUCT AN EIS ON THE EFFECTS WHICH THE PLANNED DEVELOPMENTS WILL HAVE ON WELL WATER SUPPLIES UTILIZED BY CURRENT RESIDENTS. B.) IF THESE EFFECTS ARE NEGATIVE, AS IS PROBABLE, THEN DEVELOP A PLAN FOR FULLY RECOMPENSING CURRENT RESIDENTS FOR LOST OR DIMINISHED WATER SUPPLIES.

Thank you for your interest and attention.

M&C

LETTER 22 - MITCHELL, STEVE & GRING, KATHERINE (January 24, 1994)

M&G-1 Comment noted. Please see response to comment FOAD-11.

M&G-2 Concerning potential impacts due to dam inundation please see the Hydrology and Water Quality Section of the EIR, Page 4.3-10 and the Mitigation Measure 4.3-5 which lists various Safety Element policies that serve to reduce the potential for flood damage. An EIS was prepared by the Metropolitan Water District that included an evaluation of the potential for failure of the proposed Dominigoni Reservoir. A summary of the EIS's analysis is presented in the City of Murrieta Master Environmental Assessment, Page 3.2-10.

M&F-3 Please see the Hydrology and Water Quality Section of the EIR, Page 4.3-9 Mitigation Measure 4.3-4. This measure references policies that would reduce impacts on the groundwater basin by preserving natural drainage courses and encouraging the use of pervious surfaces in new development. Also please note that all discretionary projects in the City will undergo environmental review which will require an assessment of impacts on groundwater resources. If it is determined that significant impacts on water supplies would result with project implementation, changes in the project or mitigation measures would need to be proposed to reduce impacts to less-than-significant levels.

Ruth Planey
25205 Via Las Lomas • Murrieta • CA 92562
(909) 677-4472

January 25, 1994

City of Murrieta
26442 Beckman Court
Murrieta, CA 92562

Attn: Fred Buss

Regarding: EIR for the General Plan for Murrieta

There are certain goals and policies in Murrieta's General Plan that will impact the City's resources in a significant manner. After reading the EIR, I don't see how significant impacts such as these can be mitigated to less than significant. Therefore, the goals and policies should be changed. There are better ways to carry out the objectives of the Vision Statement and accomplish what we want with less impact on the environment.

Some of the resources in danger, but not limited to, are: Open Space, Soil, Water, Air, Historic and Archaeological, Biological, Agriculture and Scenic.

• The General Plan does not give the residents what they asked for during the five beginning workshops. They said, "Keep the rural." The Plan gives them tract homes and commercial and industrial acreage to last a hundred years. It virtually wipes the rural off the map. Almost two years later, the desires and needs of the community have not changed. The sentiment is still the same - "Keep the rural." The current Preferred Land Use Map, does not reflect the wishes of the community at large. Instead it suits a small number of people looking for financial gain. Most of them plan to leave Murrieta and go someplace else with that money, leaving 99% of the residents to pick up the pieces and deal with a plan they did not want in the first place. The Plan mentions the importance of agriculture to the history and the current atmosphere of Murrieta yet there is not an agricultural land designation. This is inconsistent. This is just one example of how the plan says one thing and then does another.

Resources effected: All of the above.

Solution: Lower the density to 60,000-100,000. Create a separate agriculture land use designation. Require on-site water recharge. Limit Washington to 4 lanes, or just 3 lanes if made a one-way street. Prohibit development on slopes over 25%.

• The General Plan does not support its own Vision Statement. If you want Murrieta to be all tract homes and strip centers, just say so and rewrite the Vision Statement. The language in the Plan is not strong enough or precise enough to carry out the well meaning goals which were meant to bring the Vision Statement to fruition. As a result, Murrieta will develop into another run of the mill, piece of Southern California sprawl with no character or distinction of its own. It will become another city that residents and businesses flee from in search of a better quality of life for themselves and their work force.

RP-1

Resources effected: All of the above.

Solution: Lower the density to 60,000-100,000. Prohibit development on slopes over 25%. Limit Washington to 4 lanes, and only 3 lanes if a one-way street. Treed medians on all streets 4 lanes and more. Sidewalks, trails and bike paths separated from the roadway. Require 50% of the roofs in commercial and industrial developments to be pitched rather than flat. Treed medians on all roads 4 lanes or more. Use parkways and meandering sidewalks to for interest and character. Require the use of natural looking materials, such as rock or wood, for bridges, signs, culverts, walls, etc. rather than plain concrete.

• I am completely baffled by the Circulation Element which gives its blessing to a traffic plan with 33 road segments operating at the "unsatisfactory" Level of D, E, or F - and that's after everything has been widened, dual left-hand turn lanes and right-hand deacceleration lanes have been installed. If this is the best the citizens can expect, even after all the improvements, then something is wrong with this picture - such as the Land Use map. It needs to change. The road system can not efficiently handle that much traffic. Too much land, 20%, is taken up with streets, freeways and ROW. This is too high. Should be under 10%. (See EIR page 4.8-1, 4.8-18, 4.8-19 and Figure 4.8-5 for detailed information)

Resources effected: Air Quality, Historical and Archaeological.

Solution: Lower the density to 60,000-100,000. Locate commercial and industrial areas near freeway interchanges for visibility and convenience. Extend and utilize Madison, Monroe and Whitewood to carry more of the traffic. Need to provide adequate infrastructure so we don't end up with problems such as Jefferson & Winchester in Temecula. Why weren't the freeway overpasses built wider to begin with? Now we, in some form or another, have to pay to do them over again. From day one, the infrastructure and public facilities should be built to handle the maximum buildout population.

• Allowing development on slopes over 25% is not in keeping with the Vision Statement and according to the EIR is not sanctioned by most cities. The State Division of Mines and Geology limits development at 30% slope. Why does the General Plan allow it and how does the EIR justify its explanation that such development would be less than significant? Such grading will increase erosion, sedimentation, and flooding and it will decrease the amount of natural ground water recharge.

(See EIR page 4.2-12 for more details)

Resources effected: Soil, Water, Biological, Scenic, Open Space.

Solution: Limit development to slopes of less than 25%.

• Even with implementation of various mitigation measures, impacts associated with the loss of open space and agricultural land will remain "significant and unavoidable." Why? If development is approached in a different and creative way we will reduce the negative impacts on Murrieta. (See EIR page 4.1-15)

Resources effected: All of the above.

Solution: Decrease land use density in all areas. Prohibit development on slopes over 25% slope. Allow clustering of development so there is the ability to create large areas of open space that can be enjoyed both passively and actively. Plan for the next 10-30 years, not the next 100. Who knows what life will be like in the year 2094? A decade from now, the needs of the city might be different. Allow the flexibility to react to and meet those needs. Do not preordain, a mega-city of

RP-2

RP-3

RP-4

145,000-199,000 if there isn't the need. There's no need to cram people onto tiny 5,000-7,200 square foot lots, if you don't have to.

Carth Horney

LETTER 23 - PLANEY, RUTH (January 25, 1994)

RP-1 Please see Letter 17, response to comment FOAD-2 and FOAD-11.

RP-2 Please see Letter 17, response to comment FOAD-2, FOAD-11, and FOAD-36.

RP-3 Comment noted. The EIR justifies development on slopes over 25 percent as being less-than-significant only with the assumption that Mitigation Measures 4.12-1(a) through 4.12-1(c) will be implemented. These measures suggest that a study be conducted to identify the significant topographic features within the study area that warrant preservation and that the City designate a Hillside Overlay Zone or District with a supporting ordinance or guidelines that provide grading, landscaping, building and review procedures as well as defining areas for preservation. The third measure also states that until such time that guidelines, ordinances and plans are adopted, interim procedures shall be put in place. Also please refer to FOAD-36.

RP-4 Comment noted. Please see response to comment RP-2.

5. SUMMARY OF CHANGES TO THE DRAFT EIR

5. SUMMARY OF CHANGES TO THE DRAFT EIR

As a result of comments received on the Draft EIR from public agencies, private organizations and the general public some minor changes to the Draft EIR are recommended for incorporation into the Final EIR. This additional and revised information supplements and in some instances, corrects factual information presented in the Draft EIR regarding existing conditions in the City and discussion of impacts and mitigation measures. These revisions and corrections represent only minor changes to the content of the Draft EIR and do not change any of the basic conclusions about the potentially significant impacts of the proposed project. In some instances additional mitigation measures or changes to mitigation measures have been made to more fully address the potential for adverse impacts resulting from implementation of the Murrieta General Plan. All changes to mitigation measures are reflected in Table 3-1, Summary of Impacts and Mitigation Measures.

The proposed changes to the Draft EIR are presented on the following pages and are grouped according to Chapter and Section. All of the changes presented in this chapter are also included in the responses to the individual comments in Chapter 4. Deletions to the Draft EIR text are shown in strike-out (~~strike-out~~), and new text recommended for inclusion in the Final EIR is shown in **Bold**.

CHAPTER 4, SECTION 4.2, GEOLOGY, SEISMICITY AND SOILS

- Change to wording of Mitigation Measure 4.2-1(b), Page 4.2-10.

4.2-1(b) *An erosion and sediment control plan ~~a should~~ **shall** be implemented for the grading and construction phases of ~~major~~ **new development** ~~construction~~ projects, **with particular attention given to** ~~and~~ projects proposed in areas with slopes over 25 percent. In accordance with City guidelines, specific erosion control measures should be designed by the project team and reviewed by the City prior to issuance of a grading or construction permit.*

CHAPTER 4, SECTION 4.3, HYDROLOGY AND WATER QUALITY

■ Text Change, Page 4.3-6

S-2.1h Surface water run-off from new development shall be controlled by on-site measures including, but not limited to the following:

- Structural controls;
- Restricting changes in topography;
- Restricting removal of vegetation; and
- Limiteding areas of impervious surfaces.

■ Additional Mitigation Measures to address Impact 4.3-1.

4.3-1 (a) *Implementation Policies S-2.1b, S-2.1h, S-4.1a, S-4.1b, S-4.1c and S-4.1d. would reduce this impact to a less than significant level. These policies ensure that adequate drainage is provided with new land uses, that future development takes into account existing capacity and infrastructure problems, and that urban runoff from new development is minimized.*

4.3-1 (b) *A policy should be added to the General Plan Safety Element requiring development within Federal Emergency Management Agency (FEMA) mapped flood plains to provide all studies, calculations, plans and other information required to meet FEMA regulations, and that applicants obtain a Conditional Letter of Map Revision (CLOMR) prior to grading, recordation or other final approval of a project as well as a Letter of Map Revision (LOMR) prior to occupancy.*

4.3-1(d) *A policy should be added to the General Plan Safety Element requiring that applicants for projects that impact a natural watercourse or mapped flood plain obtain a Section 1601/1603 Agreement from the California Department of Fish and Game and a Clean Water Act Section 404 permit from the U.S. Army Corps of Engineers, or written correspondence from these agencies indicating the project is exempt from these requirements.*

■ Addition to policies cited in Mitigation Measure 4.4-4.

4.3-4 *Implementation of Policies S-2.1b and, S-2.1h, COS 1.3a through d, COS-1.2a and COS-1.6f would reduce this impact. These policies reduce impacts to the groundwater basin by preserving natural drainage courses and encouraging the use of pervious surfaces in new development.*

CHAPTER 4, SECTION 4.4, BIOLOGICAL RESOURCES

- **Changes to Table 4.4-1, SPECIAL-STATUS SPECIES REPORTED FROM THE MURRIETA GENERAL PLAN AREA REGION**

**TABLE 4.4-1
SPECIAL-STATUS SPECIES REPORTED FROM THE
MURRIETA GENERAL PLAN AREA REGION**

Species/Common Name	Status ^{1/}			Habitat Preference	Habitat Present on Site	Seasonal Use/ Bloom Time	Occurrence on Site (Source)
	Federal	California	CNPS				
PLANTS							
<i>Allium fimbriatum</i> var. <i>munzii</i> Munz's onion	C1	SE	1B	Seasonal wetlands	Yes	March - June	Unknown
<i>Ambrosia pumila</i> San Diego ambrosia	C2	None	1B	Seasonal wetlands	Yes	March - June	Unknown
<i>Brodiaea filifolia</i> thread-leaved brodiaea	C1	SE	1B	Vernal pools, clay soils	Yes	March - June	Unknown
<i>Caulanthus simulans</i> Payson's jewelflower	C2	None	4	Chaparral, coastal sage scrub	Yes	April - June	Maybe
<i>Chorizanthe parryi</i> var. <i>parryi</i> Parry's spineflower	C2	None	None	Chaparral	Yes	April - June	Maybe
<i>Dodecahema leptoceras</i> slender-horned spineflower	FE	SE	1B	Coastal sage scrub	Yes	April - June	Maybe
<i>Eryngium aristulatum</i> var. <i>parishii</i> San Diego button celery	C1	SE	1B	Vernal pools, clay soils	Yes	March - June	Unknown
<i>Harpagonella palmeri</i> Palmer's grappling hook	FE	None	1B	Seasonal wetlands	Yes	March - June	Unknown
<i>Limnanthes gracilis</i> ssp. <i>parishii</i> Parish's meadowfoam	C2	SE	1B	Vernal pools, clay soils	Yes	March - June	Unknown
<i>Navarretia fossalis</i> prostrate navarretia	C2	None	1B	Vernal pools, clay soils	Yes	March - June	Unknown
<i>Orcuttia Californica</i> California Orcutt grass	FE	SE	1B	Vernal pools, clay soils	Yes	March - June	Unknown
<i>Polygala comuta</i> var. <i>fishiae</i> Fish's mailcert	None	None	4	Riparian	Yes	March - June	Maybe

**TABLE 4.4-1
SPECIAL-STATUS SPECIES REPORTED FROM THE
MURRIETA GENERAL PLAN AREA REGION**

Species/Common Name	Status ^{1/}			Habitat Preference	Habitat Present on Site	Seasonal Use/ Bloom Time	Occurrence on Site (Source)
	Federal	California	CNPS				
REPTILES AND AMPHIBIANS							
<i>Clemmys marmorata pallida</i> southwestern pond turtle	C2	CSC	--	Riparian, perennial water	Unlikely	Year-round resident	Unknown Maybe
<i>Cnemidophorus hyperythrus</i> orange-throated whiptail	C2	CSC	--	Coastal sage scrub, chaparral	Yes	Year-round resident	Maybe
<i>Cnemidophorus tigris multiscutatus</i> coastal-western whiptail	C2	CSC	--	Coastal sage scrub, chaparral	Yes	Year-round resident	Yes
<i>Phrynosoma coronatum blainvillii</i> San Diego horned lizard	C2	CSC	--	Coastal sage scrub, chaparral	Yes	Year-round resident	Yes (NDDDB)
<i>Scaphiopus hammondi</i> Western spadefoot toad	None	CSC	--	Riparian, perennial water	Yes	Year-round resident	Yes
BIRDS							
<i>Accipiter cooperii</i> Cooper's hawk	None	CSC	---	Oak woodland, riparian, coastal sage scrub	Yes	Breeding resident	Yes
<i>Aquila chrysaetos</i> golden eagle	None	CSC	---	Open grasslands, rolling foothills	Yes	May forage from distant nests	Yes
<i>Athene cunicularia</i> Burrowing owl	None	CSC	---	Open grasslands	Yes	Breeding resident	Yes
<i>Circus cyaneus</i> Northern harrier	None	CSC	---	Open grasslands, rolling foothills	Yes	Foraging/ breeding	Yes
<i>Poliophtila californica</i> California gnatcatcher	FE	CSC	---	Coastal sage scrub	Yes	Year-round resident	Yes (NDDDB)
<i>Vireo bellii pusillus</i> Least bell's vireo	FE	SE	---	Riparian	Yes	Year-round resident	No

**TABLE 4.4-1
SPECIAL-STATUS SPECIES REPORTED FROM THE
MURRIETA GENERAL PLAN AREA REGION**

Species/Common Name	Status ^{1/}			Habitat Preference	Habitat Present on Site	Seasonal Use/ Bloom Time	Occurrence on Site (Source)
	Federal	California	CNPS				
MAMMALS							
<i>Dipodomys stephensi</i> Stephen's kangaroo rat	FE	ST	---	Grasslands, coastal sage scrub, sagebrush	Yes	Year-round resident	Yes (NDDB)
<i>Felis concolor</i> Mountain lion	None	CSC	---	Chaparral	Yes	Year-round resident	Yes
<i>Perognathus longimembris brevinasus</i> Los Angeles pocket mouse	C2	CSC	---	Grasslands, coastal sage scrub	Yes	Year-round resident	Maybe
<i>Taxidea taxus</i> Badger	None	CSC	---	Chaparral	Yes	Year-round resident	Yes

- ^{1/} Status = Status of species relative to the Federal and State Endangered Species Acts and California Fish and Game Code.
- Fed = Federal status.
- FE = Federally listed as endangered.
- T = Federally listed as threatened.
- C1 = Category 1 comprises taxa for which the USFWS currently has substantial information on hand to support the biological appropriateness of proposing to list as endangered or threatened. Proposed rules have not yet been issued because they have been precluded at present by other listing activity.
- C2 = Category 2 comprises taxa for which information now in possession of the USFWS indicates that proposing to list as endangered or threatened is possibly appropriate, but for which conclusive data on biological vulnerability and threat are not currently available to support proposed rules. Further biological research and field study may be needed to ascertain the status of taxa in this category, and it is likely that many will be found not to warrant listing.
- CA = California status.
- SE = State listed as endangered.
- ST = State listed as threatened.
- CSC = California Department of Fish and Game "Species of Special Concern."
- = No California or Federal status.
- CNPS = California Native Plant Society listing (does not apply to wildlife species).
- 1B = Plants rare, threatened or endangered in California and elsewhere and are rare throughout their range. All of the plants constituting List 1B meet the definitions of Section 1901, Chapter 10 (Native Plant Protection) of the California Department of Fish and Game Code and are eligible for state listing.
- 4 = Plants of limited distribution - a watch list. Plants in this category are of limited distribution in California and their vulnerability or susceptibility to threat appears low at this time. However, they are uncommon enough that their status should be monitored regularly.

5. Summary of Changes to the Draft EIR

■ Changes to discussion of the California Gnatcatcher on Page 4.4-15.

The California gnatcatcher (*Poliophtilia californica*) is a **federal endangered species** and a California species of concern.

■ Changes to Mitigation Measure 4.4-3(e), Page 4.4-25.

4.4-3(e) *The City shall require that all wetlands avoided and/or ~~other appropriate non-profit agency~~ otherwise preserved, shall be dedicated to the City or other non-profit entity, ~~preserved~~ through covenants enforceable by the City to ensure their maintenance and survival in perpetuity.*

■ Changes to Discussion of Impact 4.4-4, Page 4.4-25.

Impact

4.4-4 **Implementation of the proposed project may result in the loss of special-status wildlife species or their habitat. *This is a significant impact.***

The presence of wetland habitats, grasslands, chaparral, coastal sage scrub, and riparian habitats within the General Plan area creates the known or potential occurrence for the ~~12~~ **15** special-status species listed in Table 4.4-1. Of these ~~12~~ **15** species, ~~eight~~ **eleven** have been observed within the General Plan area.

The General Plan area has within its boundaries seven habitat types, in which three could potentially support special-status species. The coastal sage scrub habitat has the potential to support the California gnatcatcher (observed on-site) and recent studies have shown approximately 8,000 acres of the General Plan area could potentially support the Stephens' kangaroo rat. In addition, the open grasslands support foraging habitat for numerous resident and migratory raptor species such as northern harrier, merlin, prairie falcon, and golden eagle.

Buildout of the General Plan would convert ~~hundreds~~ **thousands** of acres of existing natural habitat (of **varying quality depending on the degree of disturbance**) into urban uses through rough and finished grading, construction of buildings, roads, recreational parks, and placement of related infrastructure. Approximately 1,962 acres of natural open space habitat is planned for preservation as part of the project.

Therefore, potential impacts to special-status species habitat is considered to be a ***significant impact***.

■ **Changes to Mitigation Measure 4.4-4, Page 4.4-26.**

Mitigation Measures

4.4-4 *All new project submittals shall be reviewed for their potential environmental impact to biotic resources. Unless a determination is otherwise made by the Planning Department, Any new projects on vacant land shall have a preliminary "walk-over" field inspection performed by a qualified biologist. For any site that has been previously graded or otherwise disturbed, a field inspection may not be necessary. The determination on whether or not a field inspection is required will be made by the Planning Department on a case by case basis.*

As a result of the qualified biologist's preliminary field inspection, he/she will recommend one of three possible courses of action. They are as follows: ...

■ **Changes to text following discussion of Impact 4.4-5.**

Impact

4.4-5 **Implementation of the proposed project will result in the loss or destruction of potential habitat for the Stephens' kangaroo rat. This is a significant impact.**

The U.S. Fish and Wildlife Service listed Stephens' kangaroo rat (SKR) as endangered in 1988. The Endangered Species Act (ESA) prohibits any action that could take, harm, harass, or further endanger the species, including the loss of its habitat. The incidental take provision of the ESA allows the loss of individuals of and endangered species and its habitat, provided that a Habitat Conservation Plan (HCP) is prepared. The HCP identifies preserve areas where land could be purchased to mitigate for the loss of habitat elsewhere within the species range and establishes a user fee to finance the HCP program. The Murrieta General plan study area is not located within the Stephens' kangaroo rat HCP fee area. The fee within the HCP fee area For the Stephens' kangaroo rat, the fee is \$1,000.00 for large lot residences and \$1,950.00 per acre for other developments. These development fees are used to purchase land within designated study areas. None of the Stephens' kangaroo rat Study Areas and known occupied habitat defined by the SKR HCP are found within the General Plan area, although the Santa Rosa and Lake Skinner study areas are located immediately west and northeast, respectively, of the General Plan area. Recent studies have documented approximately 8,000 acres of potential SKR habitat within the General Plan study area and there have also been at least two sightings of the species within the City and sphere. Therefore, impacts to the Stephens' kangaroo rat or its habitat are is considered to be a significant.

5. Summary of Changes to the Draft EIR

Implementation of the following mitigation measures or their incorporation into the General Plan as policies would reduce this impact to a *less-than-significant level*.

Mitigation Measures

- 4.4-5(a) *The City of Murrieta shall require all project proponents proposing development in SKR habitat areas to participate in "Section 7" consultation with the U.S. Fish and Wildlife Service. ~~the Stephens' Kangaroo Rat Habitat Conservation Plan unless the City is a member of the Habitat Conservation Agency (HCA).~~ If the City is a member of the HCA, the rules and procedures of the HCA shall apply. Both procedures could ~~This plan will~~ allow incidental take under section 10(a) of the Endangered Species Act. Issuance of ~~a the~~ 10(a) permit would enable the City to issue development permits resulting in the "incidental take" of SKR, where take is defined as any activity that would harm, kill, harass, or endanger SKR in the course of construction.*
- 4.4-5(b) *The City of Murrieta shall pursue joining the Riverside County Habitat Conservation Agency.*
- 4.4-5(c) *Proposals for new development in high fire hazard areas shall be evaluated for their potential impact on natural habitat resulting from brush clearance. Where significant impacts are likely to occur mitigation measures shall be provided to avoid or off-set such impacts.*
- 4.4-5(d) *Areas dedicated as open space and other areas of natural habitat shall be protected from damage by off-road vehicles and other habitat-damaging disturbances such as camping, and unrestricted access by house pets. Areas shall be protected through fencing, signing and policing to indicate that such activities are prohibited.*

CHAPTER 4, SECTION 4.6, UTILITIES

■ Numerical change to Impact 4.6-4

4.6-4 Buildout of the General Plan would result in the generation of approximately ~~7,288~~ 9,418 million gallons per year (mgv) of wastewater. This would result in a net increase of ~~5,305~~ 7,435 mgv or a ~~268~~ 375 percent increase over current generation. This is a *potentially significant impact*.

CHAPTER 4, SECTION 4.7, PUBLIC SERVICES

■ Additional Mitigation Measure to address Impact 4.7-5.

School Mitigation Measures

4.7-5(a) ~~Implementation of Land Use Policies, LU-3.2a,b,c, and LU-3.3e, and required payment of school impact fees. would reduce impacts on schools to a less than significant level.~~

4.7-5(b) *Land Use Element Policy LU-3.3e shall be revised as follows and Policies LU-3.3f and g, as stated below, shall be added to the Land Use Element of the General Plan to reduce impacts on public schools:*

LU-3.3e In order to ensure that adequate school facilities are available when development entitlements are requested, the city shall on an annual basis:

- i) Request that school districts serving the Plan area indicate the level of facilities presently available to serve development requiring discretionary review;*
- ii) Request that school districts serving the Plan area provide a status report of overcrowding of facilities within school district boundaries and identify available classrooms as well as the need for additional adequate school facilities to serve proposed development, status of applications for state funding, eligibility for such funding in relation to authorized state bonds for such funding; and,*
- iii) Request school districts serving the Plan area to provide the city with identification of impacts which are anticipated as a result of proposed development.*

LU-3.3f Recognizing that the provision of adequate school facilities is the responsibility of the State, the school districts, developers, and the City, the City of Murrieta shall:

- i) Coordinate with developers and school districts in the legislative approval process to ensure that school sites are adequately sized, located to meet increases in demand and will be available as needed as part of phasing of development of projects including such school sites. All development proposals of 75 acres or more not within a master plan or specific plan shall be evaluated by the school district and the city for possible inclusion of a ten net usable acre elementary school site;*
- ii) Coordinate efforts for public financing by school districts, the city, or both, to ensure timely availability of adequate school facilities to the extent state funding or*

other sources are not assured or received by school districts on a timely basis in order to provide school facilities for such developments;

- iii) Coordinate the planning and location of schools and other related public facilities at the earliest possible stage of the development process;*
- iv) Coordinate the preparation of development and school services data, projections, needs assessments and available financing therefor, including state funding and efforts to achieve the highest possible priority for such funding for the community.*

LU-3.3g *In the process of considering legislative land use approvals which will or are likely to create additional impacts on a particular school district, the city will:*

- i) Require that applications for general plan amendments, including changes in land use classifications, development agreements, annexations, public financing and redevelopment proposals, or any other legislative approval, as well as applicable determinations of consistency with the general plan, be carefully evaluated as to timely availability of adequate school facilities and assurance of funding for such school facilities. Any environmental review required by CEQA shall include an analysis of the impact of the development project upon the school district, recognizing that state statutory school fees are not sufficient to provide adequate mitigation;*
- ii) Require that project analysis include utilizing the school district's most recent Impact Mitigation Study to determine existing capacity, future capacity expansion, current demand, and student generation factors so as to accurately measure project demand on the school districts;*
- iii) Work with developers and school districts to assist school districts to receive funding for school facilities from all sources including possible state funding and establishing a maximum priority for such funding;*
- iv) Notify, confer and meet on a periodic regular basis with affected school districts on proposed development applications early in the review process in order to allow for adequate response by school districts. A joint coordinating committee with school districts should be established to meet regularly to consider development proposals submitted to the city and school districts;*
- v) In considering the approval of general plan amendments, changes in land use classifications, development agreements, annexations and public financing proposals*

5. Summary of Changes to the Draft EIR

or other legislative acts or applicable determinations of consistency with the general plan, the city shall review said proposals as to timely availability and assurance of funding for timely and adequate school facilities to serve the proposed development. If adequate school facilities will not be available in a timely manner to serve the proposed development, the city shall consider and implement other feasible land use and development mitigation measures, including, but not limited to, reduction of residential densities or imposition of controlled phasing of development until adequate school facilities are available; and,

- vi) Require developers to meet with school districts in order to negotiate Impact Mitigation Agreements concerning the impact of that developer's residential project upon the school district.*

Implementation of these mitigation measures would reduce impacts on schools to a less-than-significant level.

CHAPTER 4, SECTION 4.8, TRANSPORTATION AND CIRCULATION

■ Additional Mitigation Measure to address Impact 4.8-1.

4.8-1(a) *Implementation of Circulation Element policies C-1.1d through C-1.2g, C-1.4c, C-1.5a, C-2.1a through C-3.1b, C-3.1d, C-3.2a through C-3.2d, and C-5.1a through C-5.1c, involve methods of reducing peak hour traffic flows on local road segments and intersections. ~~Implementation of these policies would reduce traffic impacts to a less-than-significant level.~~*

4.8-1(b) *A policy should be added to the General Plan stating that driveway access standards for each roadway classification be developed and that access to State Route 79 and major arterials be limited between intersections to maximize efficient traffic flow. Adjacent property owners should be encouraged to share driveway access across property lines whenever feasible.*

Implementation of these mitigation measures would reduce traffic impacts to a less-than-significant-level.

CHAPTER 4, SECTION 4.13, LIGHT AND GLARE

■ Additional Mitigation Measure to address Impact 4.13-1.

Mitigation Measure

- 4.13-1 (a)** *The City Lighting Ordinance shall be amended to specify that new development and capital improvement projects that include street lighting be required to use low-pressure sodium (LPS) street lights.*
- 4.13-1(b)** *Land Use and Open Space and Conservation Element policies summarized in this section and compliance with the ordinance established for the Mount Palomar Observatory in conjunction with mitigation measure 4.13-1(a) would reduce impacts due to light and glare to a less-than-significant level.*

CHAPTER 5, CEQA CONSIDERATIONS, SECTION 5.1 GROWTH-INDUCING EFFECTS

■ Changes to the discussion of growth-inducement.

Typically, the growth-inducing potential of a project would be considered a significant growth-inducing impact if it fostered growth or a concentration of population, or created capacity to accommodate growth above and beyond what was permitted by the relevant plans or contained in growth projections of independent regional planning agencies. However, the creation of growth-inducing potential does not automatically lead to growth, whether it would be below or above a projected level. Growth at the local level is regulated by the land use policies of local governments in California, but growth can only happen through capital investment in new economic opportunities by the private or public sectors (predominantly the former). Development pressures are created by the desires of investors to mobilize their resources in a particular region or locality. These pressures help to structure the local politics or growth and the local jurisdiction's posture on growth management and land use policy. The growth-inducing potential or pressure created by a project is therefore mediated by the locality itself.

The proposed Murrieta General Plan sets in place policies that will help to define and direct future growth in the City of Murrieta. The Plan also provides land use designations and development densities for all areas of the City. The Plan provides residential growth, potentially adding 38,255 new dwelling units to the City at buildout, bringing the total number of dwelling units in the City to 50,906. These households would support a potential population increase of about 105,450 residents at buildout. Non-residential development would increase employment in Murrieta by 63,000 jobs for a total of approximately 73,200 jobs at buildout. While the General Plan will guide and direct this growth, growth will ultimately be dependent on capital investment in the City.

Growth-inducing impacts are considered to be those effects of a project that result in growth beyond that proposed by the project itself. A project is generally considered growth-inducing if it results in the extension of urban services, infrastructure, or a transportation corridor into a previously unserved area or, removes a major obstacle to growth. The proposed City of Murrieta General Plan would result in growth inducing impacts by ~~and the extending sion of~~ infrastructure into previously unserved ~~and under-served~~ areas. Impacts would also result due to a projected 34.5 percent increase in population growth over the levels projected for the study area in the SWAP. The SWAP has served as the basis for regional growth projections used by SCAG for areas of the county that include the City and Sphere. ~~However, the growth projected under the proposed Land Use Element is not substantially greater than the levels allowed under the Southwest Area Plan which is the basis for the current growth projections anticipated by SCAG.~~

While the growth-inducing impacts of the project are considered significant, the environmental impacts of this growth has been analyzed in this EIR and General Plan policies and mitigation measures have been identified that should help ensure that growth is well planned and proceeds in

5. Summary of Changes to the Draft EIR

an orderly manner. Furthermore, the analysis of impacts in this document is intended to help foster a decision making process that will need to balance environmental considerations with economic and social objectives in determining the type and amount of growth seen as appropriate for the community.

Along with local direct growth induced by the fulfillment of the Murrieta General Plan are non-local, indirect growth impacts. These consist of increased demand for more personal and business services, consumer goods, employment opportunities, and housing throughout the region that are associated with Murrieta's growth. This share of associated growth that will be borne by other communities in Riverside, San Diego, Orange and San Bernardino County. Many interdependent demographic and economic variables prevent a reasonable estimate of these regional impacts.

6. ANALYSIS OF THE FINAL GENERAL PLAN

6. ANALYSIS OF THE FINAL GENERAL PLAN

6.1 INTRODUCTION

As a result of public input received during the circulation period for the Draft EIR and during a series of community meetings on the Draft General Plan, the Murrieta Planning Commission and City Council, assisted by Planning staff, proposed modifications to the Draft General Plan so that it would more closely reflect the community's vision for the future of the City. The Final General Plan that is being recommended for approval substantially reduces development densities and population from what was proposed under the Draft General Plan and analyzed in the Draft EIR. While it is assumed that the Final General Plan that is being considered for adoption will, as a whole, substantially reduce the potential environmental impacts of the plan, the following environmental analysis is intended to verify this assumption and ensure that the changes to the plan that have been recommended do not result in new substantial environmental impacts. The analysis focuses on the potential environmental impacts of buildout of the "proposed" Final General Plan as contrasted with the buildout analysis of the Draft General Plan that was conducted in the Draft EIR.

6.2 DESCRIPTION OF THE PROPOSED FINAL GENERAL PLAN

The Final General Plan reduces the Draft General Plan target population from 145,591 to 103,052, primarily by reducing residential densities (See Table 6-1). Overall, the changes proposed in the Final General Plan reduce dwelling units by 12,987, increase commercial acreage by 362, and decrease industrial acreage by 164. In addition to these changes in the buildout numbers associated with the land use plan, other changes are proposed to the Circulation Plan and the text and policies of the General Plan. The following summarizes the most significant changes being proposed for the Final General Plan:

- A substantial reduction in residential densities in the Sphere of Influence for most of the outlying areas and an overall reduction of 12,987 dwelling units for the entire General Plan area.
- A 29 percent reduction in the buildout population of the plan from 145,591 under the Draft General Plan to 103,052.
- An increase in the amount of commercially designated land along the east side of the I-215 corridor in the Sphere of Influence.
- An increase of approximately 23 percent in commercial acreage.
- A decrease of approximately 8 percent in industrial acreage.

6. Analysis of the Final General Plan

- Establishing Multiple Use Area 1 for the major undeveloped portion of the Golden Triangle along with a requirement for master planning the area. The objective of the designation is to promote the development of the Golden Triangle as the Central Business District of the City.
- An approximately 13 percent reduction in land designated as Open Space.
- Moving the Multi-Modal Corridor from Clinton Keith Road to Murrieta Hot Springs Road to take advantage of higher residential densities and to serve the Golden Triangle as a transit "destination".
- Preserve Washington Avenue as a two-lane collector for that portion north of Brown Street to the City limits and provide a scenic corridor drive (off Washington) along the east side of Murrieta Creek as a means of easing traffic congestion.
- The inclusion of very explicit policies for school facilities mitigation.

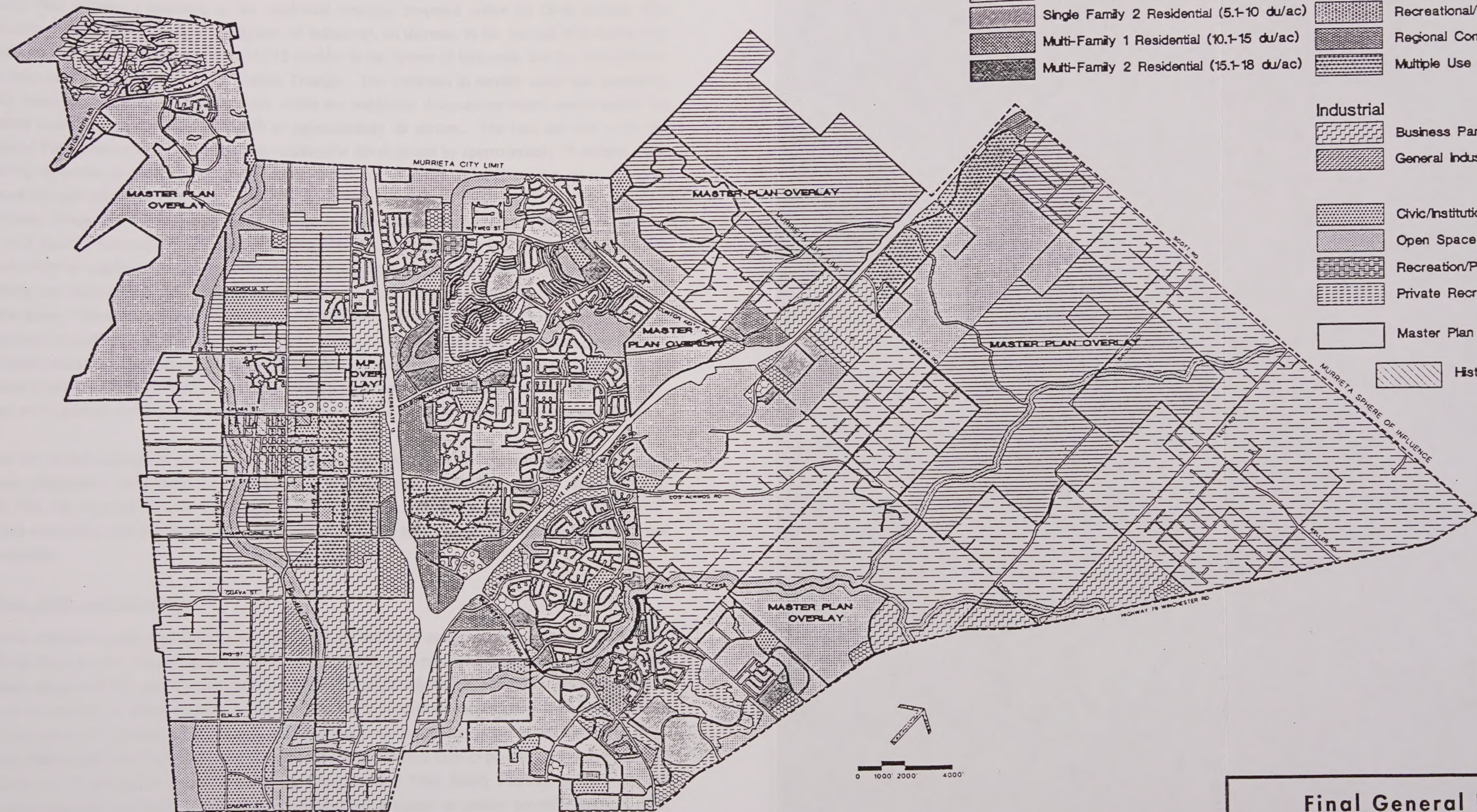
The changes to the Land Use Plan are reflected in Figure 6-1, and all of the changes to the text of the Draft General Plan are included in Appendix A.

**TABLE 6-1
FINAL LAND USE PLAN BUILDOUT COMPARISON**

Land Use Designations¹	Draft General Plan	Final General Plan	Net Change Final General Plan
Residential			
0-0.4 du/acre	4,119	6,183	2,064
0.5-2 du/acre	2,687	3,747	1,060
2.1-5 du/acre	7,374	4,944	(2,430)
5.1-10 du/acre	1,392	910	(482)
10.1-15 du/acre	304	105	(199)
15.1-20 du/acre	258	258	0
Total Residential Acres	16,151	16,147	(4)
Total Dwelling Units ²	48,769	36,575	(12,194)
Commercial			
Regional	422	416	(6)
Community	580	562	(18)
Neighborhood	55	51	(4)
Recreational/Resort	59	59	0
Professional	146	96	(50)
Multiple Use	303	743	440
Total Commercial Acres	1,565	1,927	362
Dwelling Units (MU)	2,137	1,353	(784)
Industrial			
Business Park	1,869	1,644	(225)
General	76	137	61
Total Industrial Acres	1,945	1,781	(164)
Open Space			
Open Space	1,962	1,710	(252)
Parks	869	142	(727)
Private Recreation		508	508
Total Acres	2,831	2,360	(471)
Civic/Institutional			
Civic/Institutional	339	600	261
Street ROW	5,830	5,830	0
Total Population	145,591	103,052	(42,539)

¹ Numbers reflect mid-range target densities

² Population estimates assume a 5% vacancy rate and 2.86 persons per household



LAND USE KEY

Residential

- Rural Residential (0-0.4 du/ac)
- Equestrian Residential (0.5-2 du/ac)
- Single Family 1 Residential (2.1-5 du/ac)
- Single Family 2 Residential (5.1-10 du/ac)
- Multi-Family 1 Residential (10.1-15 du/ac)
- Multi-Family 2 Residential (15.1-18 du/ac)

Commercial

- Professional Commercial
- Neighborhood Commercial
- Community Commercial
- Recreational/Resort Commercial
- Regional Commercial
- Multiple Use

Industrial

- Business Park
- General Industrial

- Civic/Institutional
- Open Space
- Recreation/Parks
- Private Recreation

Master Plan Overlay

Historic Overlay

Final General Plan
Land Use Map

FIGURE 6-1

6.3 ENVIRONMENTAL IMPACT ANALYSIS OF THE FINAL GENERAL PLAN

Land Use

The most significant changes in land use under this alternative from what was proposed under the Draft General Plan include: a reduction in the residential densities proposed under the Draft General Plan (primarily in the outlying areas of the Sphere of Influence), an increase in the amount of commercially designated land along the east side of the I-215 corridor in the Sphere of Influence, and the establishment of a large area of multiple use in the Golden Triangle. The reduction in density under this alternative would result in 12,987 fewer dwelling units within the residential designations which would reduce the buildout population of the plan by 42,539 or approximately 29 percent. The land use mix under the proposed Final General Plan would increase commercial development by approximately 23 percent while reducing industrial development by approximately 8 percent. Land designated as open space would be reduced by approximately 13 percent, primarily along the northwestern boundary of the City. The areas previously designated as open space would change to Master Plan Overlay/Single Family 2 Residential (2.1 to 5 du/ac). Although the area would no longer be designated as open space, some of this acreage would likely be retained as open space due to the Master Plan Overlay requirement for detailed master planning and clustering of dwelling units when it is necessary to preserve hillside, creek, and sensitive habitat areas. The Overlay would apply to sites of ten acres and over. Some of the acreage within this designation would also be preserved in accordance with policies contained in the proposed Conservation and Open Space Element that support preservation of prominent hillsides and ridgelines, natural drainage courses, wildlife habitat and wildlife corridors. Only limited development would be allowed in areas with slopes of 25 percent or over, and no development would be allowed on slopes of 50 percent and over.

Given the overall substantial reduction in development densities under this alternative, impacts on land use are considered to be much less significant than projected for the Draft General Plan. As stated in the Draft EIR, the majority of land use impacts would be reduced to less-than-significant levels, however, impacts associated with the loss of agricultural land and open space would still remain significant and unavoidable.

Geology, Soils, and Seismicity

Potential impacts related to geology, soils, and seismicity would be similar in type to those identified for the Draft General Plan. However, under the Final General Plan the number of residents in the City would decrease along with the potential risk from geologic and seismic hazards. Geologic hazards would not only be reduced due to fewer residents at risk, but also due to modifications proposed in the Final General Plan that reduce the amount of hillside development that could potentially occur in the City. The Final General Plan would allow only limited development on slopes greater than 25 percent and no development on slopes of 50 percent or more. As with the Draft General Plan, Safety Element policies and the mitigation measures proposed in this EIR are considered adequate to reduce potential impacts from geologic hazards to less-than-significant levels.

Hydrology and Water Quality

The potential for impacts to hydrological resources under this alternative would be generally less than under the Draft General Plan as a result of the overall reduction in development densities and a corresponding decrease in impervious surfaces. A decrease in impervious surfaces allows more water to recharge the underlying groundwater basins and reduces surface runoff. Surface runoff can exacerbate existing flood conditions and has the potential to contaminate receiving waters by washing urban pollutants into the stormwater system. In addition, impacts to water quality associated with grading and construction activity would be reduced in proportion to the reduction in development. Although there would be an increase in commercial development, the projected 8 percent reduction in industrial use would reduce the most potentially detrimental effects from a given land use designation on water quality. Finally, because of the reduced buildout population of this alternative, the number of residents and residential properties potentially exposed to flood hazards would decrease as compared with the Draft General Plan. Policies proposed in the General Plan in combination with existing regulations and future environmental review are considered to be adequate to ensure that new projects do not adversely affect water quality or the potential for flooding.

Biotic Resources

Consistent with the Draft General Plan, both the Murrieta Creek and Warm Springs Creek corridors would be preserved as open space. Although the Final General Plan does propose an estimated 13 percent reduction in land designated as Open Space, a proposed reduction in residential densities and the inclusion of a Master Plan Overlay designation in the northwestern portion of the City would partially compensate for this designation change. The new area designated for Master Plan Overlay includes sensitive areas adjacent to the Santa Rosa Plateau, including Cole Canyon. The Master Plan Overlay designation requires detailed master planning and clustering of dwelling units for projects of over ten acres when it is necessary to preserve hillside, creek, and sensitive habitat areas. With this requirement it is assumed that the change in designation would not result in the loss of critical biological resources. Even with this change in designation policies contained in the proposed Conservation and Open Space Element would still support preservation of prominent hillsides and ridgelines, natural drainage courses, wildlife habitat and wildlife corridors. Furthermore, the proposed Final General Plan limits development of hillside open space where slopes are equivalent to or greater than 25 percent and prohibits development on slopes of 50 percent or over.

The proposed Final General Plan could potentially impact biotic resources if the proposed "Murrieta Creek Scenic Drive" did not adequately buffer existing wildlife habitat areas. Impacts could also occur if the proposed roadway did not respect regional plans for the Santa Margarita River watershed or those policies of the Murrieta General Plan that promote preservation, restoration and enhancement of Murrieta creek and its value for wildlife habitat and as a wildlife corridor. The adjacency of the roadway could also result in indirect impacts due to noise, light and glare, trail/recreational use, and potential degradation of water quality. Although there is potential for these impacts to occur, the description of the scenic drive

6. Analysis of the Final General Plan

states the intent to preserve environmental resources. Furthermore, the Conservation and Open Space Element contains policies that address the need for protection of biotic resources with roadway and bridge construction.

As under the Draft General Plan, proposed policies and the implementation of the mitigation measures recommended in this EIR are considered adequate to reduce impacts on biotic resources to a less-than-significant level.

Population, Housing and Employment

The proposed Final General Plan would result in 37,932 housing units, compared to the 50,906 units that could be built under the Draft General Plan. The fewer housing units and lower population contributed by the proposed Final General Plan along with an increase in commercial development would be potentially more beneficial than the Draft General Plan in reducing the imbalance of jobs to housing in the "housing rich" Southwest Riverside County area. In terms of housing type/affordability, the proposed Final General Plan would be less beneficial, providing more units than the Draft General Plan in the lower density range and fewer units in the more affordable higher density range. Impacts on housing would remain less-than-significant under the proposed Final General Plan.

Utilities

Given the smaller population under this alternative as compared to the draft General Plan, buildout would reduce the demand for all utilities analyzed with the exception of electricity. Electricity usage would increase due to the increased commercial acreage under the Final General Plan. Under this alternative approximately 8,355 million cubic feet of natural gas and 1,879 million kilowatt-hours of electricity would be used on a yearly basis. Water demand would total approximately 12,882 million gallons per year, wastewater generation would total 8,065 million gallons per year, and solid waste generation would total 134,998 tons per year. These figures represent a small increase in the consumption of electricity, a reduction in natural gas use of 8 percent, a reduction in solid waste generation of 30 percent, a reduction in wastewater generation of 14 percent, and a reduction in water demand of 18 percent as compared to the proposed General Plan. Potential impacts would be mitigated to a less-than-significant level by proposed General Plan policies.

Public Services

Demand for police, fire, library, school, and park services would decrease by roughly 30 percent as compared to the draft General Plan, due to the smaller buildout population and fewer dwelling units of the proposed Final General Plan. Under this alternative, 21 fewer police officers, and 59 fewer firefighters would be needed to maintain the current ratios of police and fire protection personnel to population. Buildout under this alternative would increase the number of children in the public school districts by 10,243 fewer students than the draft General Plan. Although the Final General Plan reduces parkland by 219 acres, the reduction in population proposed would actually result in a higher ratio of parkland to

population (6.3 acres/1,000 vs. 5.9 acres/1,000). As with the Draft General Plan, impacts on parkland would be considered reduced to a less-than-significant level with implementation of proposed General Plan policies.

Transportation and Circulation

Changes to the General Plan Circulation Element and Circulation Plan are proposed in the Final General Plan, in part as a result of a substantial decrease in traffic volumes related to lower residential densities. There are two primary changes to the Circulation Plan. The first focuses on moving the proposed Multi-Modal Transportation Corridor from Clinton Keith Road to Murrieta Hot Springs Road to take advantage of the Golden Triangle as a transit destination and to serve areas with higher residential densities. The second change to the Circulation Plan, due to lower residential densities, focuses on preserving Washington Avenue as a two-lane collector north of Brown Street between Guava Street and Hawthorne Street, and providing a scenic corridor drive off Washington along the east side of Murrieta Creek. A new Functional Classification defining "Rural Scenic" is proposed to be added for the "Murrieta Creek Scenic Drive", and Los Alamos Road. Additionally, the Circulation Plan proposes a number of other minor changes including correcting the Clinton Keith Road alignment in the Sphere to match the County approved alignment.

Under the proposed Final General Plan there would be a total of approximately 1.0 million trip ends produced within the City and sphere which represents a reduction in trip ends of approximately 30 percent when compared to the Draft General Plan. General Plan policy specifies that a Level of Service (LOS) of "D" or better shall be maintained at all non-freeway intersections, and that a LOS no worse than "E" be maintained at freeway intersections. An analysis of 62 key intersections was conducted for buildout of both the Draft General Plan and the Final General Plan. The analysis indicated that buildout of the Draft General Plan would result in P.M. LOS violations for three freeway intersections (LOS F) and ten non-freeway intersections (LOS E and F). In contrast, the reduced land use densities and changes to the Circulation Plan proposed under the Final General Plan result in only a single violation at a non-freeway intersection (LOS E), representing a significant improvement in Citywide levels of service.

Although there is clearly a significant reduction in transportation and circulation impacts under the Final General Plan, impacts would still be significant and adequate levels of service would need to be ensured through implementation of the proposed Circulation Plan, conformance with Circulation Element policies, and through by project-by-project mitigation. Conformance with these policies and future implementation of project specific mitigation measures would be considered adequate to reduce the transportation and circulation impacts of the Final General Plan to less-than-significant levels.

6. Analysis of the Final General Plan

Air Quality

Based on the reduced population and reduction in residential dwelling units, air quality impacts under this alternative would be lower than under the draft General Plan. Emissions from vehicular traffic in the city and sphere would be roughly 30 percent lower as compared with the draft General Plan. Anticipated vehicular emissions for the year 2009 would be 53.72 tons per day (tpd) for carbon monoxide, 3.77 tpd, 7.34 tpd, 0.22 tpd, and 1.00 tpd for reactive organic compounds, nitrogen oxides, sulfur dioxide and suspended particulate respectively. Emissions from electrical energy and gas consumption would be from five percent to 15 percent lower than the draft General Plan, depending upon the pollutant. For example, sulfur dioxide emissions would be roughly 221 pounds per day under the proposed Final General Plan, as compared with 233 pounds per day under the draft General Plan; reactive organic compounds would be 68 pounds per day as compared with 80 pounds per day. In addition, construction emissions would be reduced by roughly 25 percent, based on a 25 percent decrease in dwelling units.

Noise

The largest source of noise in the City is transportation related. Given that existing roadside noise levels are already only conditionally acceptable, any noise level increases are considered significant. However, with traffic generation under this alternative roughly 30 percent lower than the draft General Plan, there would be a corresponding decrease in noise impacts under the proposed Final General Plan. Additionally, short-term, construction-related noise impacts would decrease as compared with the draft General Plan. As with the draft General Plan, changes in existing land use patterns could create incompatible noise/land use relationships for existing and new developments; however, policies contained in the General Plan are considered adequate to ensure that noise levels with new developments would be compatible with existing uses.

Health and Safety (Risk of Upset)

Impacts on public health and safety would be generally reduced under this alternative as compared with the Draft General Plan due to a 29 percent reduction in population. Fewer residents would be exposed to the hazards associated with wildfires, the use and transportation of hazardous materials and crash hazards associated with French Valley Airport. Additionally, the 29 percent reduction in population would substantially reduce the demand on emergency services. The reduction in demand for emergency services in the residential sector would be only partially off-set by the increase in commercial floor area and the daytime population of the City. The eight percent reduction in industrial acreage would slightly reduce the likelihood of a hazardous waste accident at an industrial facility. This alternative would reduce household hazardous waste by approximately 29 percent but would increase the use and production of hazardous waste from commercial sources by approximately 23 percent. Proposed General Plan policies, existing regulations, and project-by-project review are considered adequate to reduce potential impacts on emergency services to less-than-significant levels.

Aesthetics/Views

Under the Final General Plan impacts on views and visual quality would be similar to those that could occur under the Draft General Plan. Both scenarios would leave the City in a built-out condition, and the quality of new development would be dependent to a large degree on the level of design review for new developments. One important difference is that the Final EIR would reduce the potential visual impact of hillside development by prohibiting development on slopes greater than 25 percent. As with the Draft General Plan, impacts on visual resources would be considered less-than-significant with implementation of proposed General Plan policies and the mitigation measures recommended in this EIR.

Light and Glare

Impacts due to increases in light and glare would be reduced under the Final General Plan and proposed General Plan policies and the mitigation measures recommended in this EIR would be considered adequate to reduce impacts to less-than-significant levels.

Cultural Resources

The potential for impacts on cultural resources would be similar with buildout of the proposed Final General Plan to those that could be expected with buildout of the Draft General Plan. As indicated in the analysis of the Draft General Plan, the proposed Final General Plans potential for impacting cultural resources would be reduced to a less-than-significant level with implementation of proposed General Plan policies.

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